

City of Wimberley

221 Stillwater, P.O. Box 2027, Wimberley, Texas 78676

REGULAR CITY COUNCIL MEETING
WIMBERLEY CITY HALL – CITY COUNCIL CHAMBERS
221 STILLWATER, WIMBERLEY, TEXAS 78676
THURSDAY, APRIL 19, 2018 – 6:00 P.M.

AGENDA

1. **CALL TO ORDER** April 19, 2018 at 6:00 p.m.
2. **CALL OF ROLL** City Secretary
3. **INVOCATION**
4. **PLEDGE OF ALLEGIANCE/SALUTE TO THE TEXAS FLAG**
5. **PROCLAMATION**
Proclamation of the City of Wimberley, Texas proclaiming April 19, 2018 as John White Day.
(Mayor Mac McCullough)
6. **CITIZENS COMMUNICATIONS**
The City Council welcomes comments from citizens on issues and items of concern, not on this agenda. Those wishing to speak must sign in before the meeting begins and observe a three-minute time limit when addressing Council. Speakers will have one opportunity to speak during the time period. Speakers desiring to speak on an agenda item will be allowed to speak when the agenda item is called. Inquiries about matters not listed on the agenda will either be directed to staff or placed on a future agenda for Council consideration. Comments from speakers should not be directed towards any specific member of City Council or City staff. Comments should not be accusatory, derogatory or threatening in nature.
7. **PRESENTATION AND POSSIBLE ACTION**
Presentation and consider possible action regarding Cypress Creek Watershed Protection Plan's proposed projects at Blue Hole Regional Park. (Tom Hegemier, Doucet & Associates, Inc., Texas State University and Parks Director Rebecca Manning)
8. **EXECUTIVE SESSION**
In accordance with Texas Government Code, Chapter 551, Subchapter D, the City Council may convene in a closed session. After the Executive Session, discussion on any of the following items, any final action or vote taken will be in public.
 - A. Executive Session pursuant Section 551.071 of the Texas Government Code for Consultation with Attorney to receive legal advice about litigation in Case No. 16-2419; Risoli v. City of Wimberley and Wimberley Board of Adjustment; 207th District Court, Hays County, Texas.

B. Executive Session pursuant Section 551.071 of the Texas Government Code for Consultation with Attorney to receive legal advice about litigation in Case No. 13-0895-C; Creekhaven, LLC, and William D. Appleman v. City of Wimberley Board of Adjustment.

C. Discussion and possible action regarding items discussed in Executive Session.

9. CONSENT AGENDA

The following item/s may be acted upon in one motion. No separate discussion or action is necessary unless requested by a Council member or citizen, in which event those items will be pulled from the consent agenda for separate consideration.

A. Approval of minutes from the Regular City Council Meeting held April 5, 2018.

B. Approval of the appointment of Buck Baccus to the City of Wimberley Transportation Advisory Board. *(Place Five Council Member Roberta Holland)*

10. CITY ADMINISTRATOR REPORT

Update regarding the status of the Central Wimberley Wastewater Project

11. PUBLIC HEARINGS AND POSSIBLE ACTION

A. Hold a public hearing and consider approval regarding case S-17-010, an application a proposed replat of Lot 32, Lea Acres, Located on Pinion Trail, Wimberley, Hays County, Texas, to establish Lots 32A & 32B, and related variance request from the City subdivision code requirements relating to lot shape and average depth to average width ratio. *(Michael LeBlanc, Applicant)*

B. Hold a public hearing and consider approval regarding case CUP-18-005, an application for a Conditional Use Permit to allow for a vacation rental on property zoned Residential Acreage (RA) for property located at 400 County Road 1492, Wimberley, Hays County, Texas; and providing for the following: delineation on zoning map; findings of fact; severability; effective date and proper notice and meeting. *(Richard Culleton, Applicant)*

C. Hold a public hearing and consider approval regarding case CUP-18-006, an application for a Conditional Use Permit to allow for a liquor store on property zoned Commercial-High Impact (C-3) for property located at 111 Old Kyle Road, Ste. 310, Wimberley, Hays County, Texas; and providing for the following: delineation on zoning map; findings of fact; severability; effective date and proper notice and meeting. *(Mad Rooster's, Applicant)*

D. Hold a public hearing and consider approval regarding case CUP-18-007, an application for a Conditional Use Permit to allow for a vacation rental on property zoned Single-Family Residential 3 (R-3) for property located at 150 Dobie Dr., Wimberley, Hays County, Texas; and providing for the following: delineation on zoning map; findings of fact; severability; effective date and proper notice and meeting. *(David Brown, Applicant)*

E. Hold a public hearing and consider approval regarding case ZA-18-002, an application to change the zoning from Commercial-Moderate Impact (C-2) to Commercial-High Impact (C-3) for property located at 13900 Ranch Road 12, Wimberley, Hays County, Texas; and providing for the following: delineation on zoning map; findings of fact; severability; effective date and proper notice and meeting. *(Wimberley RR12, Applicant)*

12. DISCUSSION AND POSSIBLE ACTION

- A. Discuss and consider possible action approving the proposed Texas Municipal League Intergovernmental Employee Benefits Pool (TMLIEBP) rerate notice. *(City Secretary Laura Calcote)*
- B. Discuss and consider possible action regarding the policies and procedures relating to placement of temporary signs at the Wimberley Community Center. *(City Administrator Shawn Cox)*
- C. Discuss and consider possible action to award the engineering services contract for the preparation of the City of Wimberley's HMGP Application for Harvey DR 4332 and General Land Office Community Development Block Grant Disaster Relief 2016 & Harvey 2017 and subsequent contract implementation if application is funded. *(City Administrator Shawn Cox)*
- D. Discuss and consider possible action for the City Administrator to expend an amount less than \$3,000 to Wimberley Plumbing for a replacement grinder pump at Blue Hole Regional Park. *(City Administrator Shawn Cox)*
- E. Discuss and consider possible action approving Resolution No. 17-2018, granting a ten-foot wide underground electric utility easement for 2.997 acres of land out of the H. Keiser Survey No. 60, Abs. No. 271 and the Amasa Turner Survey No. 1, Abstract No. 461 in the City of Wimberley. *(City of Wimberley)*
- F. Discuss and consider possible action regarding request for proposals for a bank depository for the City of Wimberley. *(Mayor Mac McCullough)*
- G. Discuss and consider possible action to purchase two 60-kilowatt hour generator sets and necessary equipment for transportation and installation the sewer system lift station. *(Mayor Mac McCullough)*
- H. Discuss and consider possible action regarding disposal of existing generator sets. *(Mayor Mac McCullough)*
- I. Discuss and consider possible action to approve the first reading of Ordinance No. 2018-11, amending Chapter 50, Section 50.63(B)(2) of the Code of Ordinances, establishing the requirements for mandatory connection to a public wastewater system. *(Place One Council Member Steve Thurber)*
- J. Discuss and consider possible action to approve test digging for the wastewater retention pond at Blue Hole Regional Park. *(Place Two Council Member Craig Fore)*
- K. Discuss and consider possible action to purchase a new television for the Council Chambers. *(Place Two Council Member Craig Fore)*

13. CITY COUNCIL REPORTS

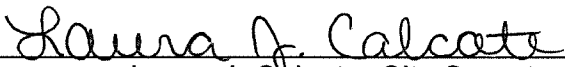
- A. Announcements
- B. Future agenda items

14. ADJOURNMENT

The City Council may retire into Executive Session at any time between the meeting's opening and adjournment for the purpose of discussing any matters listed on the agenda as authorized by the Texas Government Code including, but not limited to, homeland security pursuant to Chapter 418.183 of the Texas Government Code; consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code; discussion about real estate acquisition pursuant to Chapter 551.072 of the Texas Government Code; discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code; deliberations about gifts and donations pursuant to Chapter 551.076 of the Texas Government Code; discussion of economic development pursuant to Chapter 551.087 of the Texas Government Code; action, if any, will be taken in open session.

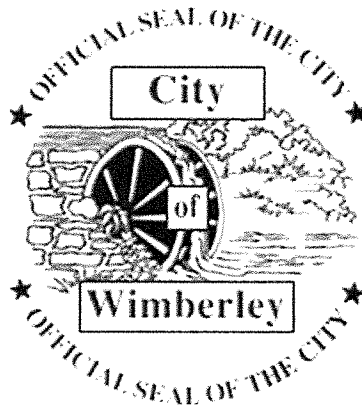
CERTIFICATION

I hereby certify the above Notice of Meeting was posted on the bulletin board at Wimberley City Hall, a place convenient and readily accessible to the general public at all times, and to the City's website, www.cityofwimberley.com, in compliance with Chapter 551, Texas Government Code, on Monday, April 16, 2018, by 5:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.



Laura J. Calcote, City Secretary

The City of Wimberley is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. Please contact City Secretary Laura Calcote at (512) 847-0025 for information. Hearing-impaired or speech-disabled persons equipped with telecommunication devices for the deaf may call (512) 272-9116 or may utilize the stateside Relay Texas Program.



City Council Agenda Form



Date Submitted: April 12, 2018

Agenda Date Requested: April 19, 2018

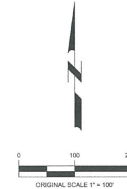
Project/Proposal Title: PRESENTATION AND POSSIBLE ACTION - Cypress Creek Watershed Protection Plan proposed projects at Blue Hole Regional Park

Council Action Requested:

- ☐ Ordinance
- ☐ Resolution
- ☒ Motion
- ☒ Discussion

Project/Proposal Summary:

The Cypress Creek Watershed Protection Plan is offering to include the City of Wimberley in grant-funded projects to support the health and sustainability of the Cypress Creek. Four of the projects are proposed at Blue Hole Regional Park. Tom Hegemier will present details on the following projects at the park: pavilion rainwater collection system, bathhouse pervious pavers and exposed aggregate concrete sidewalks, trail pavers, and parking lot pervious pavers. Details on each proposed project will be submitted in the Council's packet for each project at the park. There will need to be a discussion and a motion to approve or deny the proposed projects by the Cypress Creek Watershed Protection Plan at BHRP. The entirety of the projects will be grant-funded at no cost to the City of Wimberley or the Park. Tom has worked thoroughly with Parks Director Rebecca Manning on planning the projects at the BHRP.



NOTES:
1. REFER TO LANDSCAPE PLANS FOR FINAL
LOCATIONS OF PROPOSED AND NATURAL
TRAILS.

BLUE HOLE REGIONAL PARK

CITY OF WIMBERLEY

WIMBERLEY, TEXAS



ISSUE DATE:	<u>JANUARY 6, 2011</u>	
ISSUE SETS AND REVISIONS		
#	DATE	DESCRIPTION
_____	<u>01/15/2010</u>	<u>SCHEMATIC DESIGN SET</u>
_____	<u>05/18/2010</u>	<u>DESIGN DEVT SET</u>
_____	<u>07/15/2010</u>	<u>CONST. DWGS</u>
_____	<u>11/24/2010</u>	<u>ISSUED CONST. DWGS</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
DRAWN:	<u>BA</u>	REVIEWED: <u>CLM</u>

100%
CONSTRUCTION
DRAWINGS

PROJECT NUMBER: 4028

OVERALL SITE

SHEET NUMBER

C4.1

CAUTION - ELECTRICITY PRESENT
THE GENERAL CONTRACTOR AND ALL SUBCONTRACTORS MUST BE AWARE OF THE LOCATION OF ALL EXISTING AND PROPOSED UTILITIES. ALL OVERHEAD AND UNDERGROUND UTILITIES, OF ANY NATURE AND FOR ANY PURPOSE, ARE SHOWN ON THE PLANS. ANY INTERFERENCE WITH THE UTILITIES, OR ANY OTHER ACTIVITY THAT COULD AFFECT THE UTILITIES, IS PROHIBITED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION OF ALL UTILITIES AND THE PROTECTION OF ANY UTILITIES.

GRANT FUNDED PROJECTS

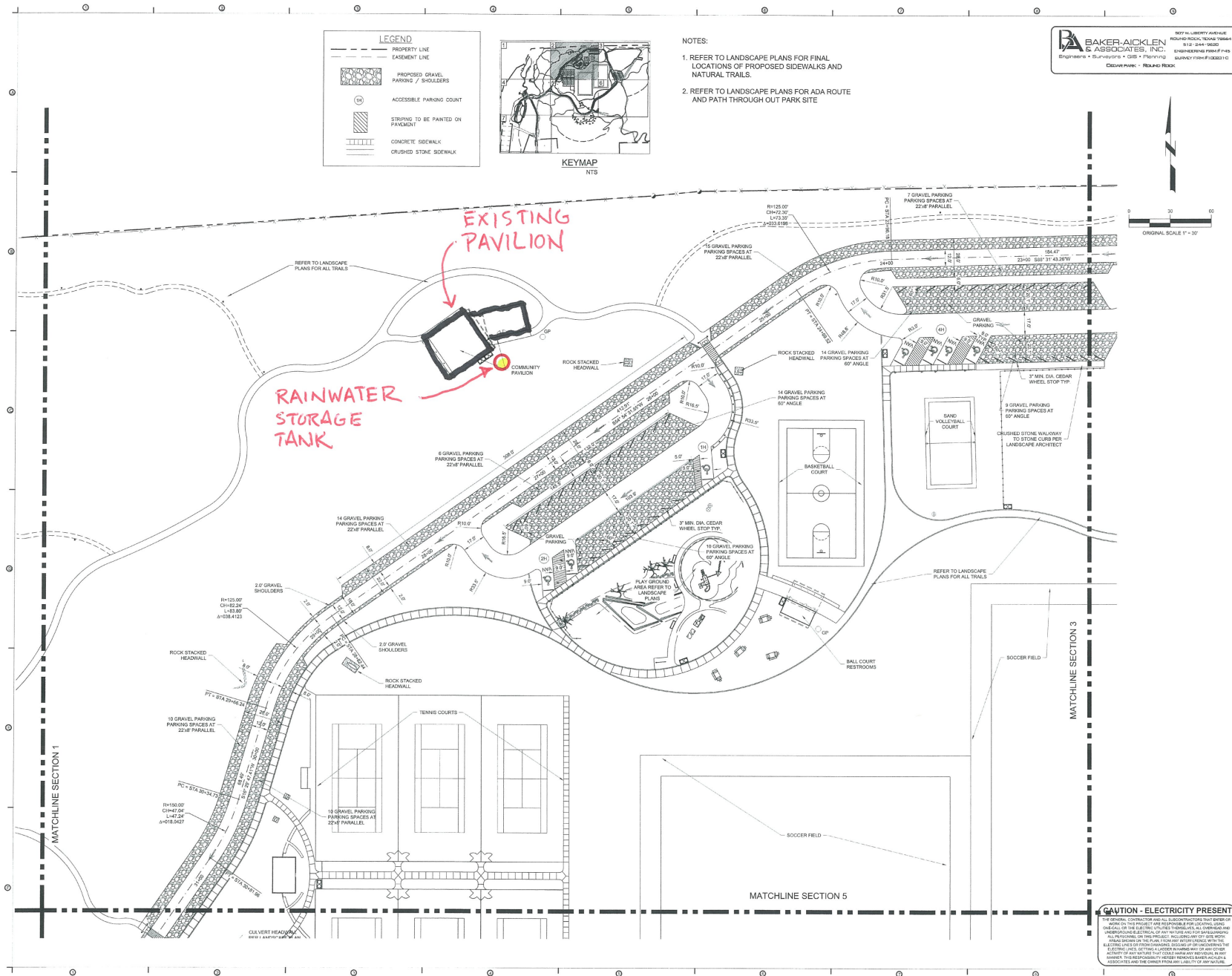
RAINWATER COLLECTION
AT THE PAVILION

TRAIL PERMEABLE
PAVERS

PERMEABLE
PAVERS
SIDEWALK

PERMEABLE
PAVERS
ADA
PARKING

EXPOSED
AGGREGATE
CONCRETE SIDEWALK

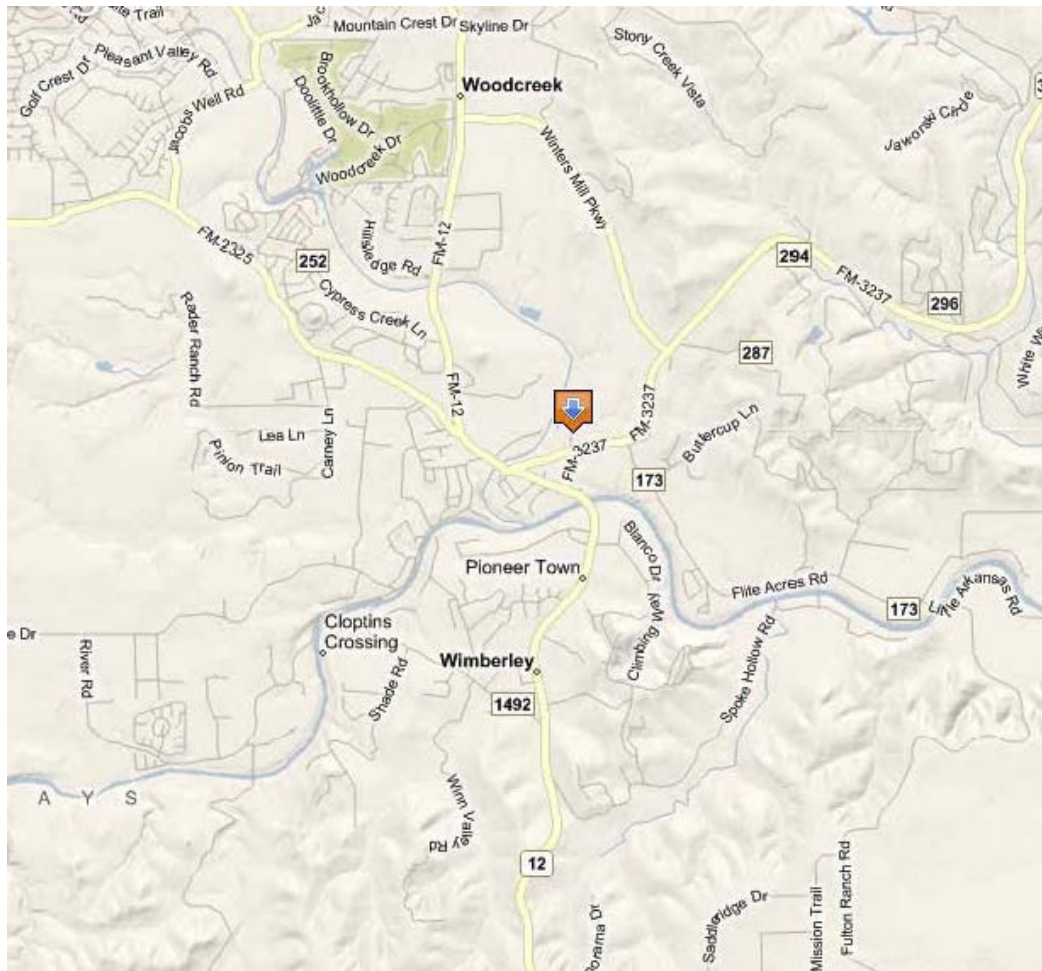


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**Cypress Creek
Watershed Protection Plan
Implementation Plan
April 12, 2018**

Blue Hole Regional Park BMPs

Location Map



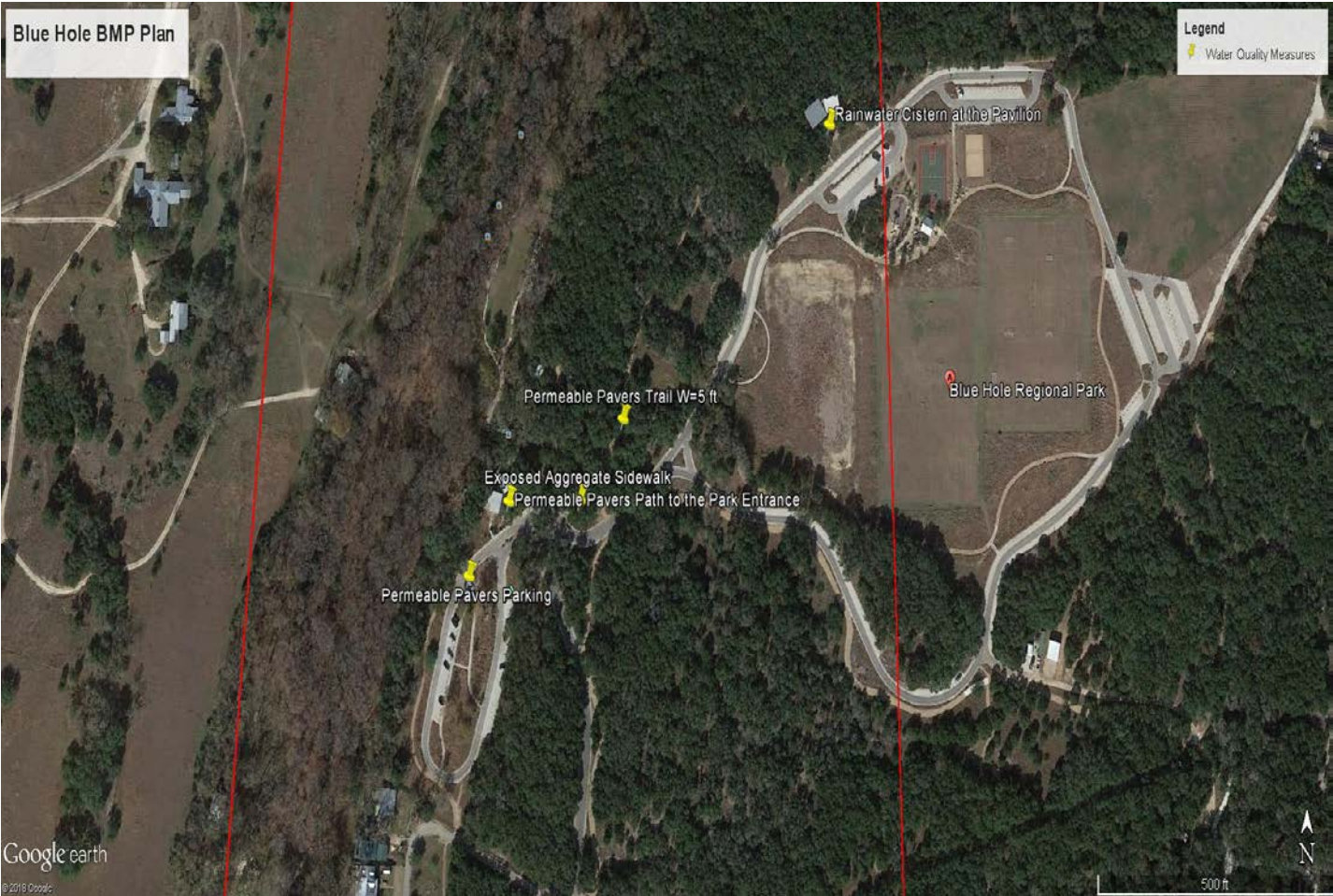
100 Blue Hole Lane, Wimberley, Texas 78676

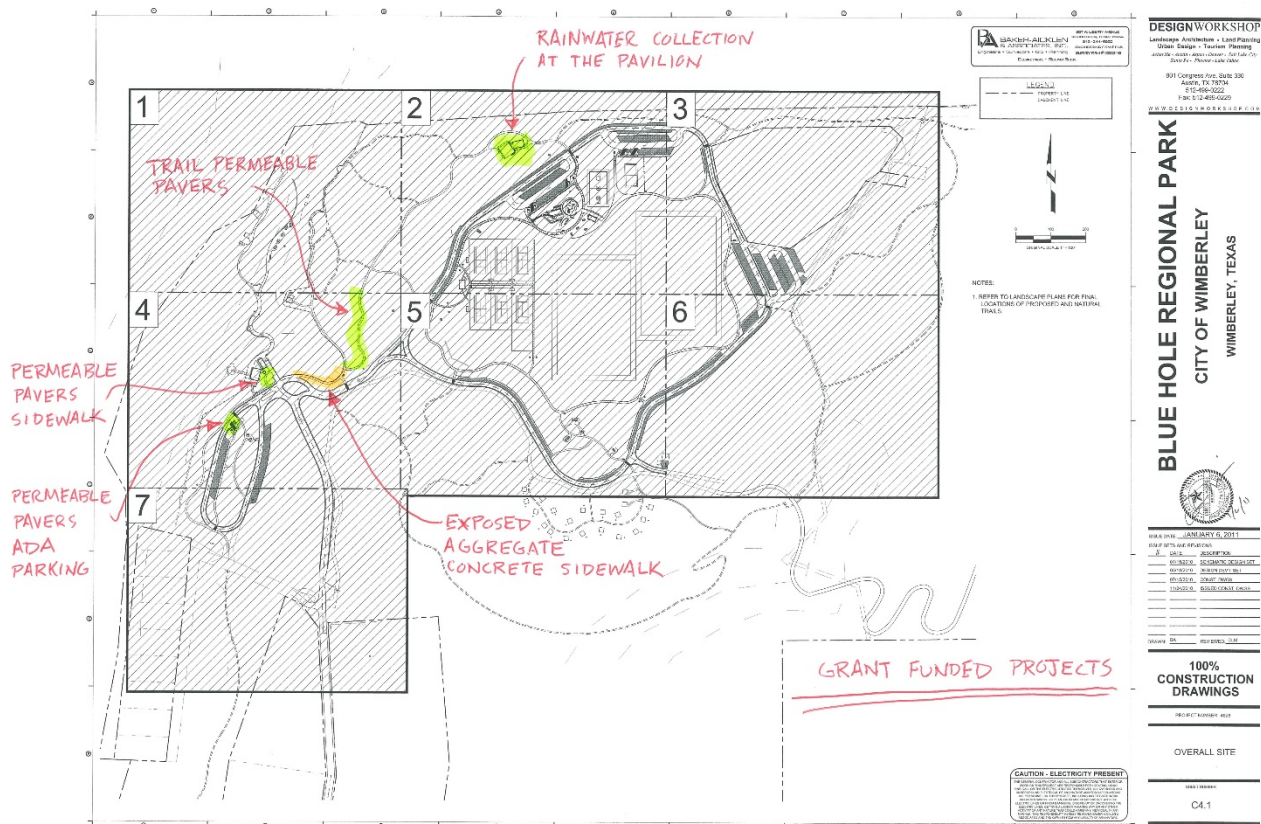
No weekend construction. No Friday work after May 25.

No construction from June 11 to July 27 – Summer Nature Camp Season

Contact Stephen at 1st Home Services regarding the Pavilion plumbing

BMP Locations





General Soil Conditions per the SCS Soil Survey

- Brackett Soils
 - o 0.2 to 0.6 inches per hour infiltration rate Hydrologic Soil Group C
 - o Soil depth 0 to 18" and 15 to 35% clay
 - o The soil survey notes a low strength for local roads and streets
 - o Depth to bedrock typically 11 to 20 inches
- Gruene Soils
 - o 0.2 to 0.6 inches per hour infiltration rate Hydrologic Soil Group D
 - o Soils depth 0 to 80 inches and 35 to 50% clay
 - o The soil survey notes moderate limitations for roads and streets with a cemented pan and shrink-swell potential
 - o Depth to bedrock typically greater than 60 inches

Project 1 – Permeable Pavers to the Park Entrance (Bathhouse)

- Length = 48 feet, Width = 5 to 6 feet to match existing
- Area = 250 square feet
- 6-inch deep rock reservoir below the surface to retain the 2" rainfall
- At an infiltration rate of 0.2"/hour, will drain in 30 hours

Sequence of Construction

1. Collect existing cedar barriers along existing granite gravel trail. Store for later use to complete the project.
2. Remove the existing granite gravel trail.



3. Dispose of granite gravel at a site within the park designated by park staff. No haul off-site.
4. Construct the permeable pavers (60 mm) per the design detail. Fit tightly against the existing exposed concrete aggregate sidewalk and the flagstone. See photo below.



5. Place the cedar barriers along both sides of the trail as noted in the above photo.

Project 2 – Permeable Pavers Parking at the ADA Parking spaces

- Length = 38 feet, Width = 22 feet
- Area = 836 square feet
- 6-inch deep rock reservoir below the surface to retain the 2" rainfall
- At an infiltration rate of 0.2"/hour, will drain in 30 hours

Sequence of Construction

1. Install traffic cones to define project limits. Provide temporary ADA parking at an adjacent site as directed by Blue Hole Park staff. Provide same number of spaces as the existing condition.
2. Remove and dispose of existing asphalt off-site
3. Saw cut the asphalt pavement to create a clean and neat edge for the pavers. See photo below.



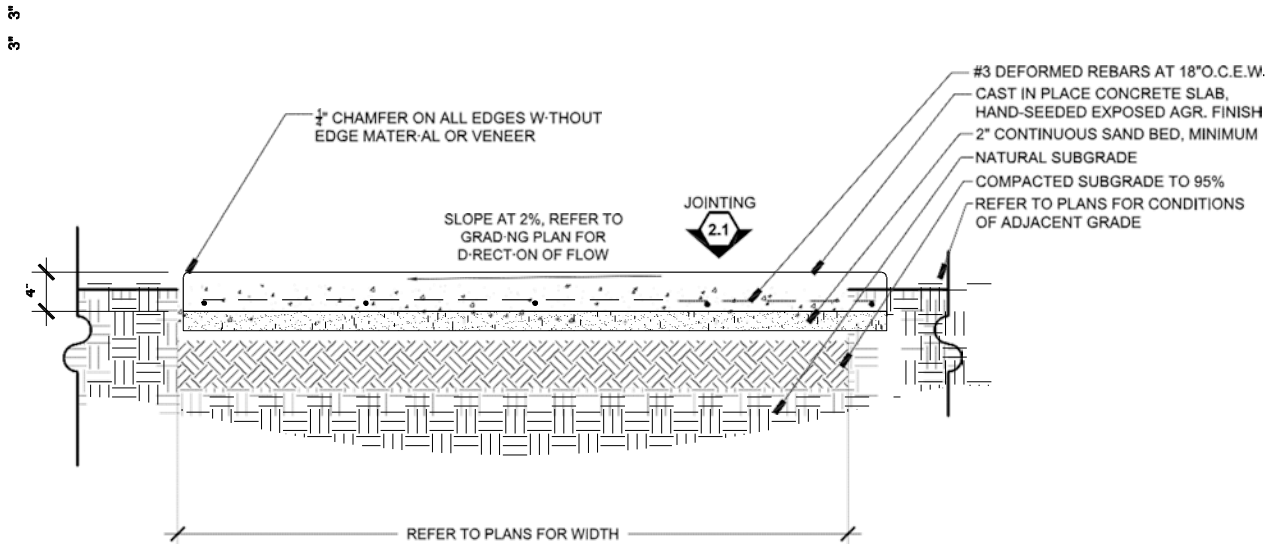
4. Excavate and prepare subgrade for permeable pavement system
5. Install a 12-inch wide concrete ribbon curb between the pavers and the existing asphalt.
6. Install 80 mm permeable pavers per the design detail
7. Perform ADA marking and other measures to match existing accessibility parking system
8. Perform an infiltration test to verify performance.
9. Clean site

Project 3 – Exposed Aggregate Concrete Sidewalk at the Bathhouse

- Length = 100 feet, Width = 5 feet
- Area = 500 square feet

Sequence of Construction

1. Remove existing granite gravel trail
2. Dispose of granite gravel at a site within the park designated by park staff. No haul off-site.
3. Construct the exposed aggregate concrete trail per the design detail.



Project 4 – Permeable Pavers Trail near the Park Entrance

- Length = 300 feet, Width = 5 feet to match existing
- Area = 1500 square feet
- 6-inch deep rock reservoir below the surface to retain the 2" rainfall
- At an infiltration rate of 0.2"/hour, will drain in 30 hours

Sequence of Construction

1. Remove the existing granite gravel trail.
2. Dispose of granite gravel at a site within the park designated by park staff. No haul off-site.
3. Construct the permeable pavers per the design detail. Fit tightly against the existing exposed concrete aggregate sidewalk and the flagstone. See photo below.





Existing Granite Gravel Trail to be Removed (FYI)

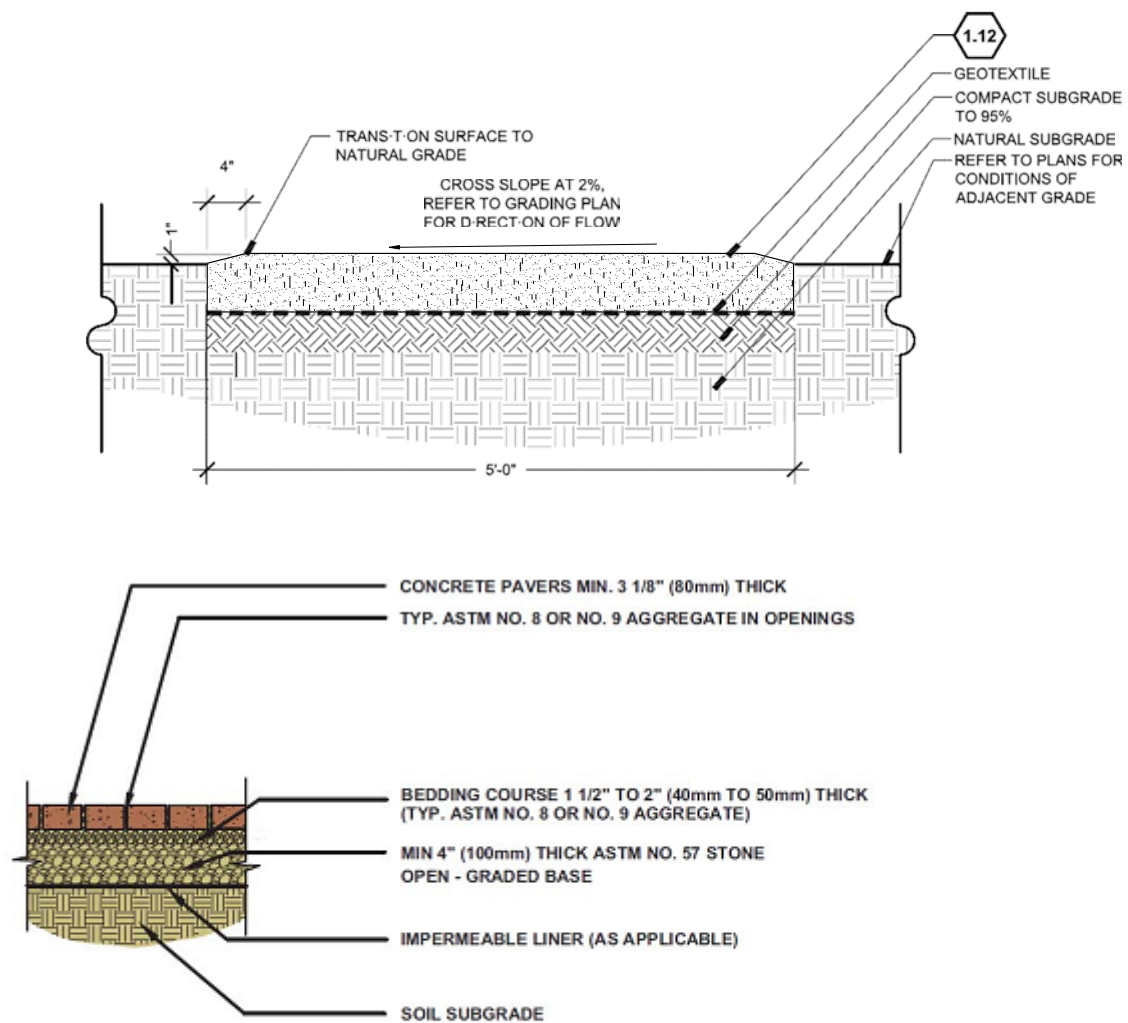
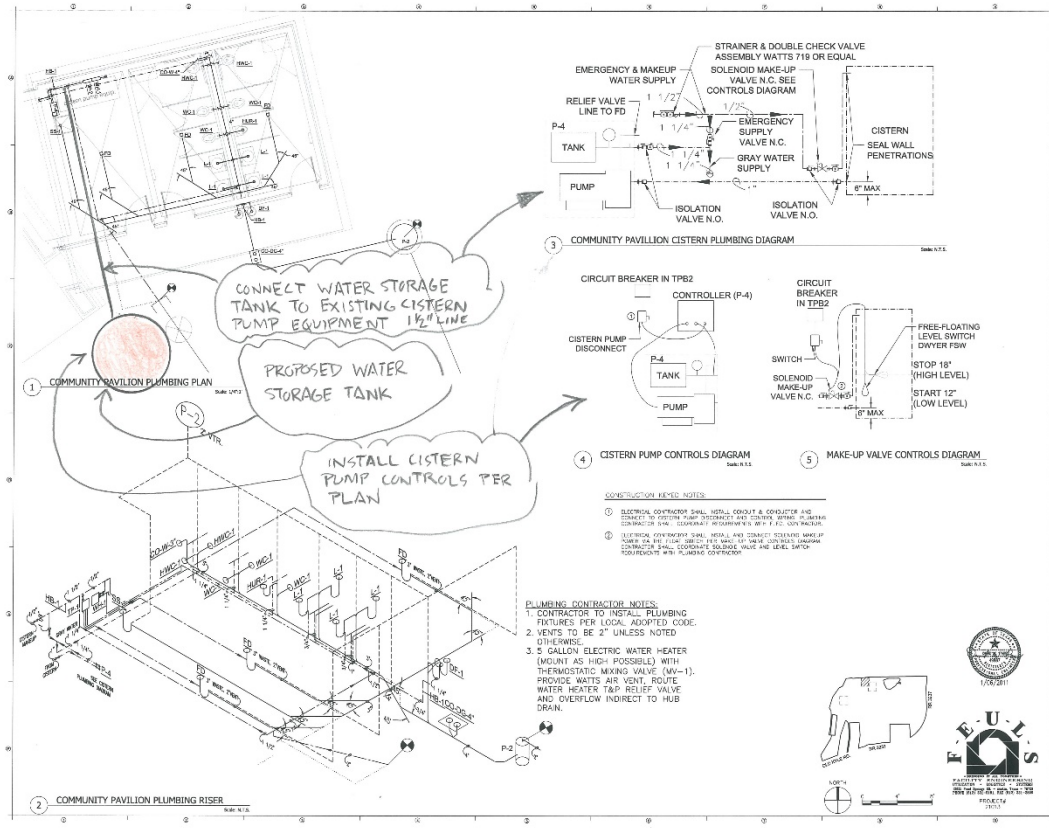


Figure 6 Permeable Pavers – Pedestrian

- 3,400 gallon metal storage tank, CORGAL 0902-WT-FS-25 or approved equal
- Gutter upgrades to divert rainwater to the tank in front of the Pavilion
- 1-1/2" pipe from the tank to the existing pump system in the Pavilion
- See following details





DESIGNWORKSHOP
 Landscape Architecture & Land Planning
 Urban Design & Tourism Planning
 801 Campbell Ave. Suite 300
 Austin, TX 78704
 512-455-0225
 Fax: 512-455-0225

BLUE HOLE REGIONAL PARK
CITY OF WIMBERLEY
 WIMBERLEY, TEXAS

DATE	DESCRIPTION
01/15/2011	REVISION 1.0
01/15/2011	REVISION 2.0
01/15/2011	REVISION 3.0
01/15/2011	REVISION 4.0
01/15/2011	REVISION 5.0
01/15/2011	REVISION 6.0
01/15/2011	REVISION 7.0
01/15/2011	REVISION 8.0
01/15/2011	REVISION 9.0
01/15/2011	REVISION 10.0

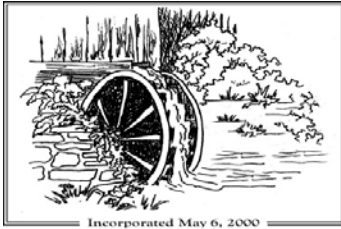
"FOR CONSTRUCTION"

PROJECT NUMBER: 400

PLUMBING PLAN & RISER - COMMUNITY PAVILION

P1.2

DESIGNED BY: DESIGNWORKSHOP



City of Wimberley

221 Stillwater, P.O. Box 2027, Wimberley, Texas 78676

REGULAR CITY COUNCIL MEETING
WIMBERLEY CITY HALL – CITY COUNCIL CHAMBERS
221 STILLWATER, WIMBERLEY, TEXAS 78676
THURSDAY, APRIL 5, 2018 – 6:00 P.M.

MINUTES

CALL TO ORDER

Mayor Mac McCullough called the meeting to order at 6:00 p.m.

CALL OF ROLL

Council Members Present: Mac McCullough Mayor
Steve Thurber Place One
Craig Fore Place Two
Allison Davis Place Three
Gary Barchfeld Place Four
Roberta Holland Place Five

City Staff Present: Shawn Cox, City Administrator
Laura Calcote, City Secretary

INVOCATION

Freedom Valley Fellowship Pastor Michael Hogan led the invocation.

PLEDGE OF ALLEGIANCE/SALUTE TO THE TEXAS FLAG

Mayor Mac McCullough led the pledges to the United States and Texas flags.

PROCLAMATIONS

Hays-Caldwell Women's Center representatives Zoe O'Balle and Cari Borremans addressed Council and the audience regarding child abuse and sexual assault issues within the County. Mayor Mac McCullough read aloud the two proclamations.

- A. Proclamation of the City of Wimberley, Texas proclaiming April 2018 as Child Abuse Prevention and Awareness Month. *(Hays-Caldwell Women's Center)*
- B. Proclamation of the City of Wimberley, Texas proclaiming April 2018 as Sexual Assault Awareness and Prevention Month. *(Hays-Caldwell Women's Center)*

CITIZENS COMMUNICATIONS

Friends of Blue Hole Executive Director Susan Nenney presented the City with a \$2,000 check for the Concert in the Park 2018 series.

Susan Jagers spoke regarding the Fiscal Year 2018 budget, along with road concerns within the City.

EXECUTIVE SESSION

City Council adjourned into Executive Session at 6:15 p.m. in accordance with Texas Government Code, Chapter 551, Subchapter D for the following purposes:

- A. Executive Session pursuant Section 551.071 of the Texas Government Code for Consultation with Attorney to receive legal advice about litigation in Case No. 16-2419; Risoli v. City of Wimberley and Wimberley Board of Adjustment; 207th District Court, Hays County, Texas.
- B. Executive Session pursuant Section 551.071 of the Texas Government Code for Consultation with Attorney to receive legal advice about litigation in Case No. 13-0895-C; Creekhaven, LLC, and William D. Appleman v. City of Wimberley Board of Adjustment.

Regular Session reconvened at 6:28 p.m.

No action was taken.

CONSENT AGENDA

Motion to approve Items A, B, C, E and F was made by Council Member Steve Thurber. Motion was seconded by Council Member Allison Davis. Motion carried unanimously (5-0).

Item D was pulled for discussion.

- A. Approval of minutes from the Regular City Council Meeting held March 15, 2018.
- B. Approval of minutes from the Special Joint City Council and Hotel Occupancy Tax Advisory Committee Meeting held March 27, 2018.
- C. Approval of minutes from the Special City Council Meeting held March 29, 2018.
- D. Approval of the December 2017, January 2018 and February 2018 Financial Statements for the City of Wimberley.
Council Member Gary Barchfeld had several questions pertaining to the financial statements provided. Mr. Barchfeld was concerned funds had not been spent in the road maintenance budget line item for FY 2018 and had questions concerning the wastewater fund.

Motion to approve Item D was made by Council Member Steve Thurber. Motion was seconded by Council Member Allison Davis. Motion carried unanimously (5-0).

- E. Approval of the resignation of Robert Cook as the Arts/Historical Attraction Representative from the Hotel Occupancy Tax Advisory Committee.

- F. Approval of the appointment of Julie Ray as the Arts/Historical Attraction Representative to the Hotel Occupancy Tax Advisory Committee.

CITY ADMINISTRATOR REPORT

City Administrator Shawn Cox updated Council regarding the status of the Central Wimberley Wastewater Project. A notice to proceed had been issued to Capital Excavation on April 5th. There would be a kickoff meeting for the collection system portion of the Project on April 18th at 6:00 p.m. at the Wimberley Community Center. A groundbreaking ceremony for the Project would also be held in the future. A date and time had not yet been set for the ceremony.

Mr. Cox also provided an update on the upcoming General and Special Elections set for May 5, 2018.

DISCUSSION AND POSSIBLE ACTION

- A. Discuss and consider possible action authorizing the City Administrator to expend funds over \$1,000 for City employee drug testing by Wimberley Wellness, PLLC. (*City Administrator Shawn Cox*)

Motion to authorize the City Administrator to expend funds over \$1,000 for City employee drug testing by Wimberley Wellness, PLLC was made by Council Member Craig Fore. Motion was seconded by Council Member Roberta Holland. Motion carried as follows (4-1):

Steve Thurber	Aye
Craig Fore	Aye
Gary Barchfeld	Aye
Roberta Holland	Aye
Allison Davis	Nay

- B. Discuss and consider possible action regarding the allocation of \$20,000 to be utilized for hotel occupancy tax grant proposals. (*City Administrator Shawn Cox*)

The Hotel Occupancy Tax Advisory Committee had requested this item be brought before Council to authorize \$20,000 in hotel occupancy tax grant funding for Fiscal Year 2018.

Motion to approve Resolution No. 16-2018 providing for the allocation of \$20,000 to be utilized for hotel occupancy tax grant proposals was made by Council Member Steve Thurber. Motion was seconded by Council Member Allison Davis. Motion carried as follows (4-1):

Steve Thurber	Aye
Craig Fore	Aye
Allison Davis	Aye
Roberta Holland	Aye
Gary Barchfeld	Nay

- C. Discuss and consider possible action regarding the policies and procedures relating to placement of temporary signs at the Wimberley Community Center. (*City Administrator Shawn Cox*)

City Administrator Shawn Cox presented several examples of surrounding governmental entities' policies and procedures relating to political signs. There was discussion among Council members relating to when and where political signs should be placed at the

Wimberley Community Center.

Council directed staff to locate the area that is furthest away from the road behind the Thrift Store sign or the Wimberley Community Center sign to place stakes and political signs. This item would be brought back to the next City Council meeting on April 19th.

- D. Discuss and consider possible action to approve the first reading of Ordinance No. 2018-11, amending Chapter 50, Section 50.63(B)(2) of the Code of Ordinances, establishing the requirements for mandatory connection to a public wastewater system. *(Place One Council Member Steve Thurber)*

City Administrator Shawn Cox informed Council that a limited number of properties had installed new septic systems since 2015 in the area set for the Central Wimberley Wastewater Project. There was discussion the timeline for allowing individuals who had installed new septic systems within area to tie on to the wastewater system and adding a grandfather clause to the Ordinance.

Council directed staff to redline Ordinance No. 2018-11 to show the differences between Ordinance No. 2010-014, and to add a five-year grandfather clause dating back to January 1, 2013 for property owners who had installed new septic systems within the timeframe. No formal action was taken.

- E. Discuss and consider possible action to instruct the Parks and Recreation Board, at its next scheduled meeting on April 18, 2018, to identify the 18 acres of irrigation expansion area as required by the Settlement Agreement between the City of Wimberley and the Blanco River Cypress Creek Water Association, KKP3237, LLC, Paradise Valley Property Owners Association, and Rocky River Ranch, Inc. *(Place Four Council Member Gary Barchfeld)*

Council Member Gary Barchfeld reviewed the Settlement Agreement between the City of Wimberley and various parties. Mr. Barchfeld highlighted Section 4.a. and 4.b. of the Agreement, calling for the City to identify an additional 18 acres for irrigation expansion. He wanted the Parks and Recreation Board to identify the 18 acres at their next meeting on April 18th.

There were two citizen's comments. First, Erik Wollam spoke regarding the validity of the Agreement. Next, Gail Pigg stated the 18 acres needed to be identified to ensure there would be no discharge into Deer Creek.

There was discussion among Council members concerning when and how the 18 acres would be identified per the Agreement. Parks and Recreation Board Chairperson Christine Byrne addressed Council concerning the Parks Master Plan, which was different from the Blue Hole Master Plan. The Board had been working on updating the Parks Master Plan at their previous Board meetings but had not addressed identifying the 18 acres to date. City Administrator Shawn Cox advised the 18 acres did not have to be identified yet.

Motion to instruct the Parks and Recreation Board, at its next scheduled meeting on April 18, 2018, to identify the 18 acres of irrigation expansion area as required by the Settlement Agreement was made by Council Member Gary Barchfeld. Motion was seconded by Council Member Craig Fore. Motion failed as follows (2-3):

Gary Barchfeld	Aye
Craig Fore	Aye
Steve Thurber	Nay
Allison Davis	Nay
Roberta Holland	Nay

CITY COUNCIL REPORTS

A. Announcements – None.

B. Future agenda items – None.

ADJOURNMENT

Motion to adjourn the meeting at 7:43 p.m. was made by Council Member Steve Thurber. Motion was seconded by Council Member Roberta Holland. Motion carried unanimously (5-0).

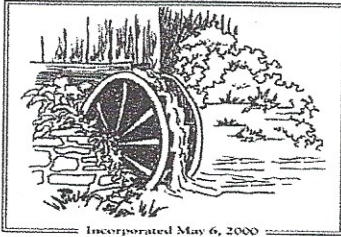
RECORDED BY:

Laura J. Calcote, City Secretary

APPROVED BY:



Herschel P. "Mac" McCullough,
Mayor



City of Wimberley

221 Stillwater Drive, P.O. Box 2027, Wimberley, Texas 78676

Phone: (512) 847-0025 Fax: (512) 847-0422 Web: www.cityofwimberley.com

Application for Appointment to Commission / Board / Committee

Name of Commission/Board/Committee: Transportation

Nominated By: Roberta Holland

Name: Buck Baccus Phone: 512.560.2591 E-mail: Buck@BaccusCI.com

Physical Address: 580 River Mountain Rd Wimberly Tx 78676

Mailing Address
(If different than physical address): _____

Employer: Baccus Capital Inv. Position/Occupation: Owner

Business Number: 512.560.2591 Fax: _____

I reside: () Inside Wimberley's City Limits () Wimberley's ETJ (☒) Outside ETJ

I am a registered voter in: () City of Wimberley (☒) Hays County () Not Registered

Do you or your employer have any business or other dealings with the City of Wimberley, which might present a conflict of interest? (☒) Yes () No

If "Yes" please explain: own 111 Old Kyle Road;
git on HOT Committee

Are you committed to devote the necessary amount of time to service on this Commission/Board/Committee and to attend all regularly scheduled meetings? (☒) Yes () No

Would you consider serving on a different Commission/Board/Committee? (☒) Yes () No

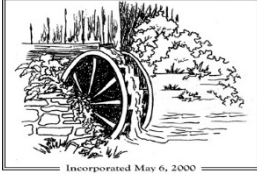
Describe any qualifications, expertise, credentials or special interests that relate to your possible appointment. If you are not responding to a specific advertisement, please indicate the Commission/Board/Committee that you would prefer to serve on.

passionate about proper transportation plan that
includes most needed parking and sidewalks; concerted
effort needed to consistently pursue grants/ \$\$\$
to help our community.

Signature: [Signature] Date: 4.11.18

Note: Your application will be kept on file for 12 months and maintained under the Texas Open Records Act as public information. It is recommended that you submit a letter of interest and a brief resume with your application. Please submit any information to the City Secretary, City of Wimberley, P.O. Box 2027, 221 Stillwater Drive, Wimberley, Texas 78676

City Council Agenda Form



Date Submitted: April 17, 2018

Agenda Date Requested: April 19, 2018

Project/Proposal Title: CITY ADMINISTRATOR
REPORT

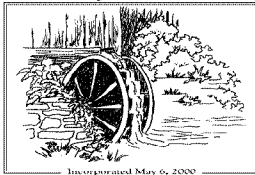
Council Action Requested:

- ☐ Ordinance
- ☐ Resolution
- ☐ Motion
- ☒ Discussion

Project/Proposal Summary:

City Administrator Shawn Cox will provide an update to City Council regarding the Central Wimberley Wastewater Project status and answer questions related to the Project.

City Council Agenda Form



Date Submitted: April 16, 2018

Agenda Date Requested: April 19, 2018

Project/Proposal Title: Subdivision Request with an associated variance for property located at 371 Pinion Trail

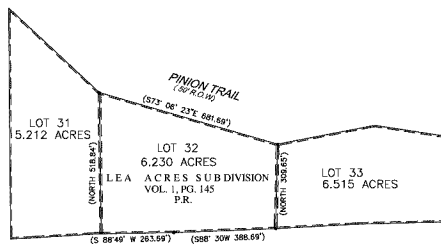
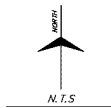
Council Action Requested:

- ☐ Ordinance
- ☐ Resolution
- ☒ Motion
- ☒ Discussion

Project/Proposal Summary:

This subdivision application is for a Replat of Lot 32 Lea Acres, Establishing Lot 32A and Lot 32B, City of Wimberley ETJ. An adjacent neighbor is purchasing a portion of an adjoining tract for future conveyance to family. Lot 32A is served by an existing well and Lot 32B will be restricted to rainwater collection. The applicant is requesting a variance from section 154.063(C) requiring that lots be rectangular in size and conform to the average depth to average width ratio for Lot 32A. Since this property is within the ETJ of the City, Hays County Development Services has also reviewed this project and provided their approval. The City has not received any inquiries or objections to date and you have staff recommendation for approval.

On April 12th, the Planning & Zoning Commission voted 6-0-0 for recommending approval to Council.



ORIGINAL CONFIGURATION

AREA BEING REPLATED, BEING LOT 32 OF THE LEA ACRES SUBDIVISION, RECORDED IN VOLUME 1, PAGE 145, PLAT RECORDS OF HAYS COUNTY, TEXAS.

STATE OF TEXAS
COUNTY OF HAYS

I HEREBY CERTIFY THAT THE ABOVE PLAT CONFORMS TO THE MINIMUM STANDARDS SET FORTH BY THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING AND ACCORDING TO AN ACTUAL SURVEY MADE ON THE GROUND BY TGD SURVEYING.

JOHN F. DOVIAN
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6042
TGD SURVEYING LLC
TBS FIRM NO.: 10193904

STATE OF TEXAS
COUNTY OF HAYS

WE, MICHAEL LEBLANC AND KARA LEBLANC, OWNERS OF A CERTAIN TRACT OF LAND SHOWN HEREON AND DESCRIBED IN A DEED RECORDED IN VOLUME 5142, PAGE 768, AND CHRISTINE HOPPE AND LISA MCINN, OWNERS OF A CERTAIN TRACT OF LAND SHOWN HEREON AND DESCRIBED IN A DEED RECORDED IN VOLUME 2686, PAGE 224, BOTH OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, AND BOTH TRACTS BEING PORTIONS OF LOT 32, LEA ACRES, A SUBDIVISION RECORDED IN VOLUME 1, PAGE 145, PLAT RECORDS OF HAYS COUNTY, TEXAS, DO HEREBY SUBMIT AND LOT 32 SHOWN HEREON, AND DO HEREBY CONSENT TO ALL PLAT NOTE REQUIREMENTS SHOWN HEREON, SUBJECT TO ANY AND ALL EASEMENTS AND RESTRICTIONS HERETOFORE GRANTED. THIS SUBDIVISION IS TO BE KNOWN AS REPLAT OF LEA ACRES, LOT 32, ESTABLISHING LOT 32-A AND LOT 32-B, CITY OF WIMBERLEY ETJ, HAYS COUNTY, TEXAS.

OWNER/DEVELOPER MICHAEL & KARA LEBLANC

OWNER/DEVELOPER CHRISTINE HOPPE & LISA MCINN

STATE OF TEXAS
COUNTY OF HAYS

I (WE) THE OWNER(S) OF THE LAND SHOWN ON THIS MINOR PLAT HEREBY CERTIFY THAT THIS PLAT DOES NOT ATTEMPT TO AMEND OR REMOVE ANY COVENANTS OR RESTRICTIONS.

OWNER

OWNER/DEVELOPER MICHAEL & KARA LEBLANC

OWNER

OWNER/DEVELOPER CHRISTINE HOPPE & LISA MCINN

STATE OF TEXAS
COUNTY OF HAYS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED MICHAEL LEBLANC KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED, AND IN THE CAPACITY THEREIN STATED, GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS . . . DAY OF . . . A.D., 20 . . .

NOTARY PUBLIC
HAYS COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF HAYS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED KARA LEBLANC KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED, AND IN THE CAPACITY THEREIN STATED, GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS . . . DAY OF . . . A.D., 20 . . .

NOTARY PUBLIC
HAYS COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF HAYS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED CHRISTINE HOPPE KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED, AND IN THE CAPACITY THEREIN STATED, GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS . . . DAY OF . . . A.D., 20 . . .

NOTARY PUBLIC
HAYS COUNTY, TEXAS

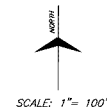
STATE OF TEXAS
COUNTY OF HAYS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED LISA MCINN KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED, AND IN THE CAPACITY THEREIN STATED, GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS . . . DAY OF . . . A.D., 20 . . .

NOTARY PUBLIC
HAYS COUNTY, TEXAS

TGD SURVEYING LLC

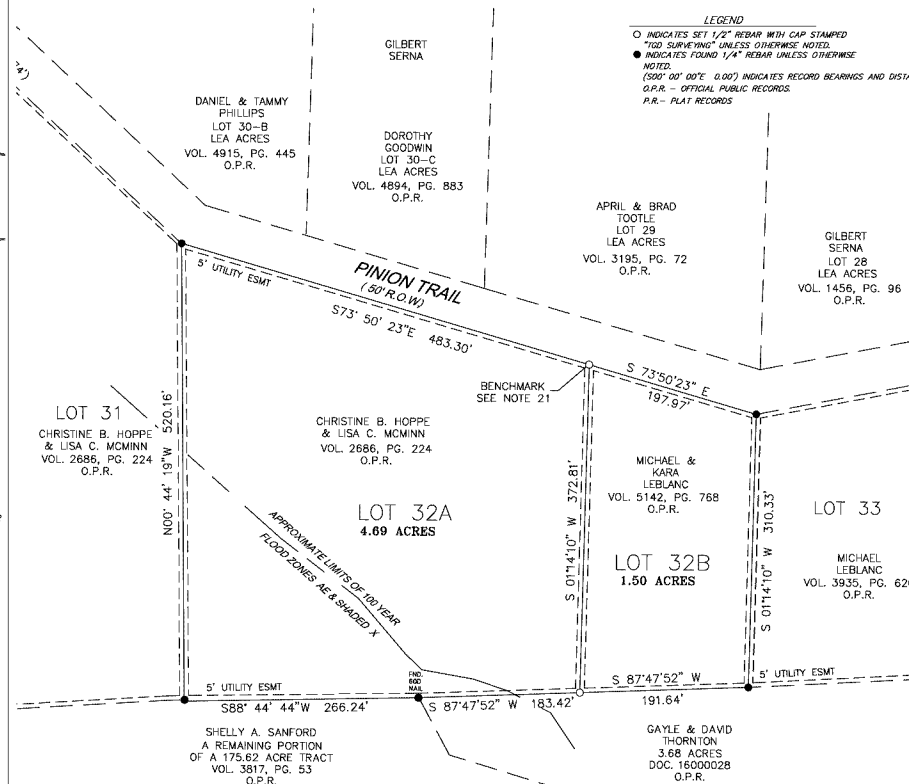
18945 F.M. 2252, STE. 216
Garden Ridge, TX 78266
210.683.1131
Firm No. 10193904



SCALE: 1" = 100'

LEGEND

- INDICATES SET 1/2" REBAR WITH CAP STAMPED "TGD SURVEYING" UNLESS OTHERWISE NOTED.
- INDICATES FOUND 1/4" REBAR UNLESS OTHERWISE NOTED.
- (500' 00" 00" 0.00) INDICATES RECORD BEARINGS AND DISTANCES.
- O.P.R. = OFFICIAL PUBLIC RECORDS.
- P.R. = PLAT RECORDS.



LOT SIZE CATEGORIES

TOTAL NO. OF LOTS	2
TOTAL ACREAGE	6.19 ACRES
PROPOSED LAND USE	RESIDENTIAL
AVERAGE LOT AREA	3.095 ACRES
NO. OF LOTS SMALLER THAN 1 AC.	0
AND SMALLER THAN 2 AC.	1
NO. OF LOTS LARGER THAN 2 AC. AND SMALLER THAN 3 AC.	1
NO. OF LOTS LARGER THAN 3 AC. AND SMALLER THAN 5 AC.	0
NO. OF LOTS LARGER THAN 5 AC. AND SMALLER THAN 10 AC.	0
NO. OF LOTS LARGER THAN 10 AC.	0

PRELIMINARY.
THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT (3-27-18)

STATE OF TEXAS
COUNTY OF HAYS

I, THE UNDERSIGNED, ASSISTANT DIRECTOR OF COUNTYWIDE OPERATIONS, HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL HAYS COUNTY REQUIREMENTS AS STATED IN THE INTERLOCAL COOPERATION AGREEMENT BETWEEN HAYS COUNTY AND THE CITY OF WIMBERLEY FOR SUBDIVISION REGULATION WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF WIMBERLEY.

STATE OF TEXAS
COUNTY OF HAYS

I, SANDY IRVIN FLOYD, PLANNING & DEVELOPMENT COORDINATOR/GIS ANALYST OF THE CITY OF WIMBERLEY, TEXAS, DO HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS TO WHICH APPROVAL IS REQUIRED.

STATE OF TEXAS
COUNTY OF HAYS

I, SHAWN COX, CITY ADMINISTRATOR OF THE CITY OF WIMBERLEY, TEXAS, DO HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS AS TO WHICH APPROVAL IS REQUIRED.

SHAWN COX, CITY ADMINISTRATOR
CITY OF WIMBERLEY, TEXAS

STATE OF TEXAS
COUNTY OF HAYS

I, THE UNDERSIGNED, ASSISTANT DIRECTOR OF COUNTYWIDE OPERATIONS, HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL HAYS COUNTY REQUIREMENTS AS STATED IN THE INTERLOCAL COOPERATION AGREEMENT BETWEEN HAYS COUNTY AND THE CITY OF WIMBERLEY FOR SUBDIVISION REGULATION WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF WIMBERLEY.

ROXIE MCINNIS
ASSISTANT DIRECTOR
PLANNING & PUBLIC HEALTH SERVICES
COUNTYWIDE OPERATIONS

STATE OF TEXAS
COUNTY OF HAYS

NO STRUCTURE IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO AN INDIVIDUAL WATER SUPPLY OR A STATE-APPROVED COMMUNITY WATER SYSTEM, DUE TO DECLINING WATER SUPPLIES AND DIMINISHING WATER QUALITY. PROSPECTIVE OWNERS ARE CAUTIONED BY HAYS COUNTY TO QUESTION THE SELLER CONCERNING GROUNDWATER AVAILABILITY. RAINWATER COLLECTION IS ENCOURAGED AND IN SOME AREAS MAY EXCEED THE BEST AVAILABLE WATER RESOURCE. NO STRUCTURE IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO A PUBLIC SEWER SYSTEM OR TO AN ON-SITE WASTEWATER SYSTEM WHICH HAS BEEN APPROVED AND PERMITTED BY HAYS COUNTY DEVELOPMENT SERVICES. NO CONSTRUCTION OR OTHER DEVELOPMENT WITHIN THIS SUBDIVISION MAY BEGIN UNTIL ALL HAYS COUNTY DEVELOPMENT PERMIT REQUIREMENTS HAVE BEEN MET.

TOM POPE, R.S.
C.F.M.
HAYS COUNTY FLOODPLAIN
ADMINISTRATOR

ROXIE MCINNIS
ASSISTANT DIRECTOR
PLANNING & PUBLIC HEALTH SERVICES
COUNTYWIDE OPERATIONS

STATE OF TEXAS
COUNTY OF HAYS

APPROVED AND AUTHORIZED TO BE RECORDED ON THE . . . DAY OF . . . 2018 BY THE CITY COUNCIL OF THE CITY OF WIMBERLEY, TEXAS

MAC MCCULLOUGH, MAYOR

STATE OF TEXAS
COUNTY OF HAYS

RECOMMENDED FOR APPROVAL ON THE . . . DAY OF . . . 2018 BY THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF WIMBERLEY, TEXAS.

CHAIR
CITY OF WIMBERLEY, TEXAS

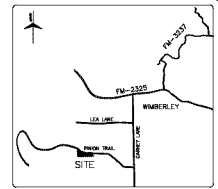
STATE OF TEXAS
COUNTY OF HAYS

I, LIZ GONZALEZ, COUNTY CLERK OF HAYS COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT OF WRITING, WRITERS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE ON THE . . . DAY OF . . . 2018.

AT . . . M, AND FULLY RECORDED ON THE . . . DAY OF . . . 2018 AT . . . O'CLOCK . . . M. IN THE PLAT RECORDS OF HAYS COUNTY, TEXAS IN DOCUMENT NO. . . .

TO CERTIFY WHICH, WITNESS MY HAND AND THE SEAL OF OFFICE OF COUNTY CLERK, THIS . . . DAY OF . . . 2017.

LIZ GONZALEZ, COUNTY CLERK,
HAYS COUNTY, TEXAS



LOCATION MAP N.T.S.

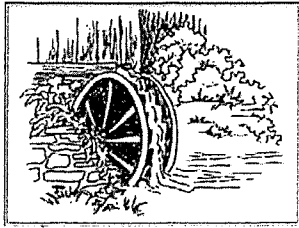
GENERAL NOTES:

- THIS SUBDIVISION LIES WITHIN THE BOUNDARIES OF THE EDWARDS AQUIFER CONTRIBUTING ZONE. NO PORTION OF THE SUBDIVISION LIES WITHIN THE BOUNDARIES OF THE EDWARDS AQUIFER RECHARGE ZONE.
- THIS SUBDIVISION LIES WITHIN THE FOLLOWING JURISDICTIONS:
WIMBERLEY ISO
ISO #1 & ISO #7
- COORDINATES SHOWN ARE BASED UPON THE NORTH AMERICAN DATUM OF 1983 (NAD 83), TEXAS STATE PLANE, SOUTH CENTRAL ZONE, GRID VALUES.
- DIMENSIONS ARE SHOWN IN US SURVEY FEET, SURFACE.
- THIS PROPERTY IS LOCATED WITHIN THE EXTRA-TERRITORIAL JURISDICTION OF THE CITY OF WIMBERLEY, TEXAS.
- SUBJECT PROPERTY APPEARS TO BE SITUATED WITHIN THE FLOOD ZONE AREAS "A" (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) AND FLOOD ZONE "AE" (SPECIAL FLOOD ZONE HAZARD SUBJECT TO FLOODING BY THE 1% ANNUAL CHANCE FLOOD) AS INDICATED ON THE FOLLOWING FLOOD INSURANCE RATE MAP: 48209C0355F, EFFECTIVE DATE: SEPTEMBER 2, 2005, BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR HAYS COUNTY, TEXAS. (SURVEYOR DOES NOT GUARANTEE OR WARRANT THE ACCURACY OR CORRECTNESS OF THE F.E.M.A. MAPS.)
- A 10' UTILITY EASEMENT IS DEDICATED TO RUN, CENTERED ON ANY EXISTING ELECTRIC FACILITIES WITHIN LOTS 32A AND 32B.
- DRIVEWAYS SHALL COMPLY WITH CHAPTER 721 OF HAYS COUNTY DEVELOPMENT REGULATIONS AND BE PERMITTED THROUGH THE TRANSPORTATION DEPARTMENT OF HAYS COUNTY UNDER CHAPTER 751.
- ALL CULVERTS, WHEN REQUIRED SHALL COMPLY WITH THE CURRENT HAYS COUNTY STANDARD, PER HAYS COUNTY DEVELOPMENT REGULATIONS, CHAPTER 705, SUBCHAPTER B.03.
- MAIL BOXES PLACED WITHIN THE ROW, SHALL BE OF AN APPROVED FOOT OF TYPICAL DESIGN, PER HAYS COUNTY DEVELOPMENT REGULATIONS, CHAPTER 721, SUBCHAPTER 2.01.
- WASTEWATER TREATMENT FOR THIS SUBDIVISION IS TO BE PRIVATE, INDIVIDUAL ON-SITE SEWAGE FACILITIES AS APPROVED BY HAYS COUNTY.
- ELECTRICITY FOR THIS SUBDIVISION IS PROVIDED BY PEDERNALLES ELECTRIC COOPERATIVE, INC.
- WATER SUPPLY FOR LOT 32-A WILL BE PROVIDED BY AN EXISTING PRIVATE ON-SITE WELL.
- WATER SUPPLY FOR LOT 32-B IS RESTRICTED TO RAINWATER COLLECTION.
- NO OBJECT, INCLUDING BUILDINGS, FENCING OR LANDSCAPING WHICH WOULD INTERFERE WITH CONVEYANCE OF STORMWATER, SHALL BE PLACED OR ERECTED WITHIN A DRAINAGE EASEMENT, THE OWNER(S) OF ANY LOTS) UPON WHICH DRAINAGE FACILITIES ARE LOCATED, INCLUDING DETENTION, SHALL BE RESPONSIBLE FOR MAINTENANCE AND UPKEEP OF SUCH FACILITIES.
- ELECTRICITY IS TO BE PROVIDED BY PEDERNALLES ELECTRIC COOPERATIVE, INC.
- TELEPHONE IS TO BE PROVIDED BY FRONTIER COMMUNICATIONS.
- FINISHED FLOOR ELEVATION FOR LOT 32A SHALL BE ONE FOOT ABOVE THE F.E.M.A. BASE FLOOD ELEVATION OF 895 FEET.
- NO STRUCTURE IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO A PUBLIC SEWER SYSTEM OR TO AN ON-SITE WASTEWATER SYSTEM WHICH HAS BEEN APPROVED AND PERMITTED BY HAYS COUNTY.
- BASIS OF BEARINGS, NORTH AMERICAN DATUM 1983, TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (4204).
- BENCHMARK IS A 5" REBAR WITH TGD SURVEYING CAP AT THE NORTHEAST CORNER OF LOT 32A. HAZARD ELEVATION: 818.88. MAJOR TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, GRID COORDINATES: NORTHING 13810948.6, EASTING 2245396.7.

REPLAT OF:
LEA ACRES, LOT 32

ESTABLISHING LOT 32-A AND LOT 32-B
CITY OF WIMBERLEY ETJ, HAYS COUNTY, TEXAS.

CONTAINING 1 BLOCK 2 LOTS



City of Wimberley

221 Stillwater
Mailing Address: P.O. Box 2027
Wimberley, Texas 78676
(512) 847-0025 Fax: (512) 847-0422
Website: www.cityofwimberley.com

Subdivision Application

Permit No. S-17-010

Date: 10-19-2017

SUBMISSION DATE: <u>October 24, 2017</u>		OFFICIAL USE ONLY CASE NO. <u>S-17-010</u>	
SUBDIVISION: <u>LEA ACRES</u>		Hays County Tax I.D. No. <u>R34023; R144767</u>	
LOCATION/DIRECTIONS: <u>371 PINION TRAIL</u>		Fees Paid: <u>\$520⁰⁰</u>	
APPLICATION TYPE: <u>3</u>		PROJECT TYPE: _____	
1=Concept Plan; 2=Preliminary; 3=Public Review Final; 4=Record Final 5=Detailed Development Plans		1=Conventional; 2=WPDD; 3=Small Lot; 4=Townhouse; 5=Rural	
PROCESS TYPE: <u>6</u> 1=Conventional; 2=Amend; 3=Short Form; 4=Dedication; 5=Conveyance; 6=Replat/Vacate		APPLICATION REC'D 10-24-17 By <u>SANDY I. FLOYD</u> (Does not constitute acceptance)	

1. OWNER(S): Michael & Kara Le Blanc

MAILING ADDRESS: 293 PINION TRAIL CITY/STATE/ZIP: WIMBERLEY TX 78676

PHONE () _____ FAX () _____ E-MAIL _____

2. PRIMARY CONTACT (Agent) _____ FIRM: _____

MAILING ADDRESS: _____ CITY: _____ STATE: _____ ZIP: _____

PHONE () _____ FAX () _____ E-MAIL _____

3. ENGINEERING FIRM _____ CONTACT: _____

MAILING ADDRESS: _____ CITY: _____ STATE: _____ ZIP: _____

PHONE () _____ FAX () _____ E-MAIL _____

4. SURVEYING FIRM: TGD SURVEYING LLC CONTACT: JOHN DEHAN

MAILING ADDRESS: 18945 FM 2252 CITY: GARDEN STATE: TX ZIP: 78266
3rd 216 RIDGE

PHONE () _____ FAX () _____ E-MAIL _____

5. PLAT ATTRIBUTES

NAME: Replat of Lea Acres Lot 32 LOCATION: 371 PINION TRAIL

SUBDIVISION CLASSIFICATION: R JURISDICTION: E

C=Commercial; R=Residential (Based on Land Use & Density) C=City Limits; E=1 mile ETJ;

COMPREHENSIVE PLAN AREA: 1 CURRENT ZONING: None in ETJ

CITY GRID MAP NUMBERS: _____ TAX APPRAISAL NUMBERS: _____

WATERSHED(S): Blanco River IN RECHARGE ZONE (Y) (N)

ELECTRICITY: PERDARNES ELCC COOP WATER SOURCE: RAINWATER COLLECTION

WASTEWATER/SEWAGE DISPOSAL: SEPTIC

TELEPHONE SERVICE: FRONTIER COMM SCHOOL DISTRICT _____

City Of Wimberley
Subdivision Application

Additional Owner Information

OWNERS: Christine Hoppe / Lisa McMin Proposed Lot 32A

MAILING ADDRESS: 1213 Alta Vista Austin, Tx 78704

PHONE: _____ FAX: _____

EMAIL: _____

SIGNATURE(S) and DATE

Christine Hoppe - 10/16/17 Lisa McMin 10/16/17

N/A

6. RELATED CASES _____ PROPOSED ZONING: _____
 APPLICATION NO. _____ ZONING ORDINANCE NO. _____
 SITE PLAN CASE NO. _____

7. PROPOSED LAND USE (By Summary)

Single Family	SF
Multi-Family	MF
Duplex	DUP
Public/Quasi-Public	P
Wimberley Planned Development District	WPDD
Right-of-Way	ROW
Commercial/Office	C-O
Commercial/Retail	C-R
Flood Plain	FP
Industrial	IND
Greenbelt/Trails	GRBLT

LAND USE (See Table)	NUMBER OF LOTS	NUMBER OF UNITS	ACREAGE
SF	1	1	1.5
SF	1	1	4.73
TOTALS	2 LOTS	2 UNITS	6.23 ACRES

Note: The signature below of an applicant or designated agent authorizes City of Wimberley Staff to visit and inspect the property for which this application is being submitted. Applicant further understand and agrees that no application shall be considered "filed" and no deadlines shall run against the City of Wimberley until the Planning & Zoning Commission staff has expressly determined that the application is administratively complete.

Date: 10-24-17

Applicant's Signature: [Signature]

Date: _____

Agent's Signature: _____

ENGINEER'S/SURVEYOR'S CERTIFICATION

This is to certify that I am authorized to practice the profession of Engineering/Surveying in the State of Texas; that I prepared/reviewed the plan/plat submitted herewith; that all information shown thereon is accurate and correct to the best of my knowledge as related to the engineering/surveying portions thereof; and that said plan/plat complies with Title 25 of the Land Development Code, as amended, and all other applicable codes and ordinances.

[Signature]
 Engineer/Surveyor's Signature

SUBMITTAL CHECKLIST

TO ENSURE THAT YOU HAVE COMPLIED WITH THE SUBDIVISION APPLICATION REQUIREMENTS, REVIEW THE FOLLOWING LIST. FAILURE TO COMPLETE THE NECESSARY STEPS CAN CAUSE A DELAY IN PROCESSING YOUR APPLICATION.

- ☒ Complete "Subdivision Application"
- ☒ Provide area map of property to be subdivided which includes all properties within 200 feet of any portion of Applicant's property; and which clearly indicates streets in surrounding area.
- ☒ Provide plat of the specific property to be subdivided (3 copies for review/10 for approval)
- ☒ Provide names and addresses of property owners within 200 feet of any portion of Applicant's property if replat.
- ☒ Provide a legal description of the property.
- ☒ Sign/date Submittal Verification and/or Waiver of Appearance form.
- ☒ Place stake on site with property address so property is easily identifiable.
- ☒ Approved construction plans (if required)
- ☒ Deed restrictions or covenants
- ☒ Current Tax Certificate showing that all taxes are paid
- ☒ Pay subdivision fee.
- ☒ Utility Service Acknowledgement
- ☒ Applicant agrees to attend Planning & Zoning Commission hearings scheduled for Applicant's proposed subdivision.
- ☒ Applicant agrees to attend City Council hearing scheduled for Applicant's proposed subdivision or waives his/her rights of appearance.

SUBMITTAL VERIFICATION AND/OR WAIVER OF APPEARANCE

(/) My signature attests to the fact that the attached application package is complete and accurate to the best of my knowledge. I understand that City review of this Application is dependent upon the accuracy of the information provided and that any inaccurate or inadequate information provided by me, my firm, or agent, may delay the review of the Application.

(/) I hereby waive my right to appear before the City of Wimberley City Council at the public hearing to be held concerning the subdivision of my above-referenced property. I understand that my failure to appear allows the Council to consider my subdivision request; however, if questions are raised that cannot be answered, the matter will be continued.

Date: 10-24-17

APPLICANT SIGNATURE [Signature]

WHEN APPLICABLE:

Date: _____

AGENT SIGNATURE _____

FEE SCHEDULE

*Residential:	Fee	Additional	Comments
Concept Plan	None		Optional
Preliminary Plat	\$350	+\$25 per lot	
Public Review Final Plat	\$500	+\$10 per lot	
Record Final Plat	\$200	+\$10 per lot	
Amend Plat	\$150		Including Plat Vacation
Short Form Plat	\$250		
*Non-Residential:			
Concept Plan	None		Optional
Preliminary Plat	\$400	+\$40 per acre	
Public Review Final Plat	\$500	+\$20 per acre	
Record Final Plat	\$200	+\$10 per acre	3 sets required
Amend Plat	\$200		Including Plat Vacation
Short Form Plat	\$400		
*Property Owner Notification included in base fee.			
Mylar recording at county	\$56	\$50/page	Tax Receipt \$10/lot
City ordinance 2007-003 allows additional costs to be passed on to owner/applicant			

ADMINISTRATIVE COMPLETENESS

No development right (if any) shall vest nor deadline run against the City until a preliminary plan is expressly determined by the Planning Staff to be administratively complete. An application for a preliminary plan shall not be considered "filed" until the application is determined by the Planning Staff to be administratively complete.

Date: 10-24-17

Owner Acknowledgement:

Signature

LEA ACRES - Lot 32 Repair

UTILITY SERVICE ACKNOWLEDGMENTS

Utility service codes are to be indicated, as listed below and as applicable, in the space provided in each acknowledgement.

CODES EXPLANATION

- A. Adequate service is currently available to the subject property
- B. Adequate service is currently available, but arrangements have been made to provide it
- C. Adequate service is not currently available, and arrangements have not been made to provide it
- D. Need easement(s) within subject property

Electric Service Provider FEDERAL ELECTRIC COOPERATIVE, INC.
Service Code(s) A, D PLEASE PLACE IN NOTES ON PLAT A TEN (10)
Comments/Conditions NEED EASEMENT CENTERED ON EXISTING ELECTRIC FACILITIES.
Electric Company Official Signature [Signature]
Date 10/17/17 Title REALTY SPECIALIST, SR.

Telephone Service Provider _____
Service Code(s) _____
Comments/Conditions _____
Telephone Company Official Signature _____
Date _____ Title _____

Gas Service Provider _____
Service Code(s) _____
Comments/Conditions _____
Gas Company Official Signature _____
Date _____ Title _____

W.I.S.D. _____
Acknowledgement of Plat _____
Comments/Conditions/Special School Concerns _____
W.I.S.D. Official Signature _____
Date _____ Title _____

Water Service Provider _____
Service Code(s) _____
Comments/Conditions _____
Water Company Official Signature _____
Date _____ Title _____

Sewer Service Provider _____
Service Code(s) _____
Comments/Conditions _____
Sewer Company Official Signature _____
Date _____ Title _____

Pinin

UTILITY SERVICE ACKNOWLEDGMENTS

Utility service codes are to be indicated, as listed below and as applicable, in the space provided in each acknowledgement.

CODES EXPLANATION

- A. Adequate service is currently available to the subject property
- B. Adequate service is currently available, but arrangements have been made to provide it
- C. Adequate service is not currently available, and arrangements have not been made to provide it
- D. Need easement(s) within subject property

Electric Service Provider _____
Service Code(s) _____
Comments/Conditions _____
Electric Company Official Signature _____
Date _____ Title _____

Telephone Service Provider Frontier Communications
Service Code(s) A
Comments/Conditions _____
Telephone Company Official Signature [Signature]
Date 10/17/17 Title Engineering Supervisor

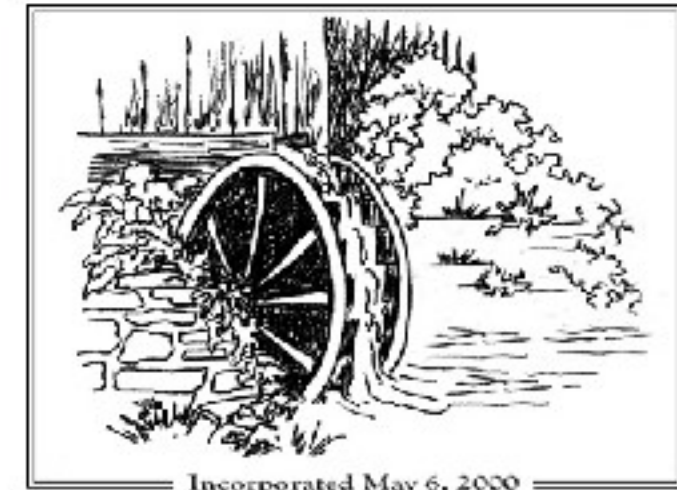
Gas Service Provider _____
Service Code(s) _____
Comments/Conditions _____
Gas Company Official Signature _____
Date _____ Title _____

W.I.S.D. _____
Acknowledgement of Plat _____
Comments/Conditions/Special School Concerns _____
W.I.S.D. Official Signature _____
Date _____ Title _____

Water Service Provider _____
Service Code(s) _____
Comments/Conditions _____
Water Company Official Signature _____
Date _____ Title _____

Sewer Service Provider _____
Service Code(s) _____
Comments/Conditions _____
Sewer Company Official Signature _____
Date _____ Title _____

S-17-010 ~ 371 PINION TRAIL



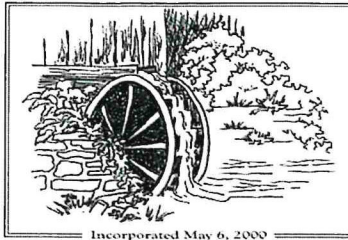
200' NOTIFICATION

Legend	
	200' NOTICE BUFFER
ID. OWNER	
	0. HOPPE, MCMIINN, LEBLANC-SUBJECT
	1. GOODWIN, DOROTHY
	2. HOPPE, CHRISTINE & MCMINN, LISA
	3. LEBLANC, MICHAEL
	4. MCCUISTION, LEEANNE
	5. PHILLIPS, DANIEL & TAMMY
	6. SANFORD, SHELLY
	7. SERNA, GILBERT
	8. TANNAHILL, FLOYD & PAMELA
	9. THORNTON, GAYLE & DAVID
	10. TOOTLE, APRIL & BRAD



0 200 400
Feet





City of Wimberley

221 Stillwater (P.O. Box 2027), Wimberley, Texas 78676
Phone: 512-847-0025 Fax: 512-847-0422 Web: cityofwimberley.com

March 14, 2018

NOTICE OF PUBLIC HEARING

Re: **File No. S-17-010**

371 Pinion Trail

Application for a subdivision and associated variance relating to lot configuration

Dear Property Owner:

You are receiving this letter because you own property within 200 feet of the above-referenced location.

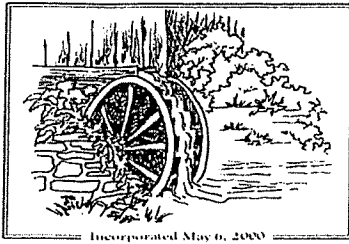
The applicant, Michael LeBlanc, has requested a variance from the City Subdivision Code that requires lots to be rectangular in size for a certain property located at 371 Pinion Trail, Wimberley, Texas. The City Planning & Zoning Commission will consider this request with an application for subdivision at a public hearing on **Thursday, April 12, 2018, at 6:00 p.m.** in the Wimberley City Hall, 221 Stillwater. Upon a recommendation from the Commission, City Council will hold a Public Hearing to consider the same request on **Thursday, April 19, 2018, at 6:00 p.m.**

Because the granting of these requests may affect your property, you are encouraged to participate in the subdivision process. The public will be given an opportunity to speak during the hearing. If you wish to comment but are unable to attend, written comments may be submitted prior to the meeting.

Additional information regarding the proposed requests are available for public review at City Hall during normal business hours. Should you have questions, please feel free to email or contact me at 512-847-0025.

Thank you,

Sandy I. Floyd
Planning & Development Coordinator
GIS Analyst
sfloyd@cityofwimberley.com



City of Wimberley

221 Stillwater, P.O. Box 2027, Wimberley, Texas, 78676

Phone: (512) 847-0025 – Fax: (512) 847-0422

www.cityofwimberley.com

NOTICE BY SIGN POSTING

Date: 03/20/2018

Zoning No: S-17-010

Owner _____

To: Code Enforcement/Public Works

Please place a Proposed Zoning Sign on the following property

() Project Site Address 371 Pinion Trl.

located on _____

Aaron Reed
Public Works/ Code Enforcement

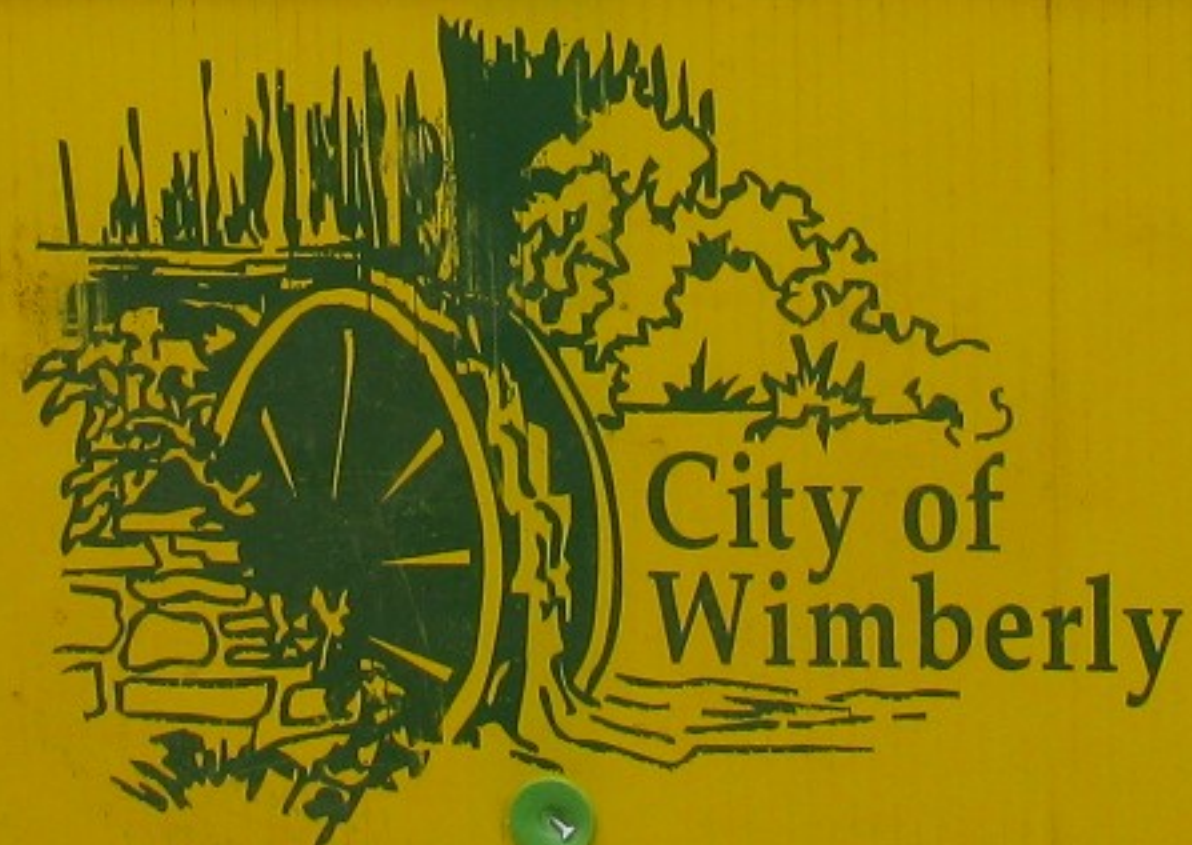
Note: The above-referenced sign was placed on the subject property on

_____, 20____

Signature

**Proposed
Subdivision
PUBLIC HEARING**
For information Contact
The City of Wimberley
(512) 847-0025
Please Refer to File Number...

S-17-010



Do Not Remove

03/23/2018

Hays County Development Service (512) 393-2150. Tracking number SUB-928.

PUBLIC NOTICE

THE STATE OF TEXAS

THE COUNTY OF HAYS

TO THOSE INDEBTED TO OR HOLDING CLAIMS AGAINST THE ESTATE OF SAMUEL ALEXANDER, DECEASED; HAYS COUNTY COURT AT LAW CAUSE NO. 18-0056-P

The undersigned Independent Executor of the Estate of Samuel Alexander Deceased, of Hays County, Texas, having been granted Letters Testamentary by the County Court of Hays County, Texas, in Probate Cause 18-0056-P, on the 12th day of March, 2018, hereby notifies all persons indebted to said Estate to make payment, and those having legal claims against said Estate to present them within the time prescribed by law at the address below. Dated the 13th day of March, 2018, Reggie Alexander, Independent Executor of the Estate of Samuel Alexander, Deceased, c/o MARILYN G. MILLER, Attorney at Law, P.O. Box 917, Dripping Springs, Texas 78620.

NOTICE OF PUBLIC HEARING (Request for Subdivision)

Notice is hereby given that the Planning & Zoning Commission of the City of Wimberley will hold a public hearing at the Wimberley City Hall on Thursday, April 12, 2018, at 6:00 p.m. to consider the following: S-17-010 - an application for a subdivision and an associated variance from Section 154.063(c) of the City Subdivision Code requiring lots to be rectangular in size and conform to the average depth to average width ratio on a 6.23 acre tract located at 371 Pinion Trail. Upon recommendation of the Planning & Zoning Commission, the City Council will also hold a public hearing on Thursday, April 19, 2018, at 6:00 p.m. at City Hall. Comments on this request from any member of the public may be presented in person at City Hall, by mail (PO Box 2027), or by email (sfloyd@cityofwimberley.com) prior to the hearing. The public will be granted an opportunity to speak at the hearings. Additional information concerning the proposed action is available for review at the Wimberley City Hall, 221 Stillwater, Wimberley, Texas.

NOTICE OF PUBLIC HEARING (Conditional Use Permit)

Notice is hereby given that the Planning & Zoning Commission of the City of Wimberley will hold a public hearing at the Wimberley City Hall on Thursday, April 12, 2018, at 6:00 p.m. to consider the following: CUP-18-006 - an application for a Conditional Use Permit (CUP) to allow the operation of a liquor store at 111 Old Kyle Rd, Ste. 310. Upon recommendation of the Planning & Zoning Commission, the City Council will also hold a public hearing on Thursday, April 19, 2018, at 6:00 p.m. at City Hall. Comments on this request from any member of the public may be presented in person at City Hall, by mail (PO Box 2027), or by email (sfloyd@cityofwimberley.com) prior to the hearing. The public will be granted an opportunity to speak at the hearings. Additional information concerning the proposed action is available for review at the Wimberley City Hall, 221 Stillwater, Wimberley, Texas.

NOTICE OF ENACTMENT OF ORDINANCE NO. 2018-11

An ordinance amending Chapter 50 (Sewers and Water), Section 50.63 (Connection to the Sewer System Required), of the Code of Ordinances of the City of Wimberley, Texas, in order to establish the requirements for mandatory connection to a public wastewater system; and providing for an effective date; proper notice and meeting, savings, severability and repealer.

NOTICE OF ENACTMENT OF ORDINANCE NO. 2018-02

An ordinance of the City of Wimberley, Texas, to increase the tax rate to be imposed on hotel occupancy within the corporate limits and extrajurisdictional jurisdiction.

NOTICE OF PUBLIC HEARING (Conditional Use Permit)

Notice is hereby given that the Planning & Zoning Commission of the City of Wimberley will hold a public hearing at the Wimberley City Hall on Thursday, April 12, 2018, at 6:00 p.m. to consider the following: CUP-18-005 - an application for a Conditional Use Permit (CUP) to allow the operation of a vacation rental at 400 CR 1492. Upon recommendation of the Planning & Zoning Commission, the City Council will also hold a public hearing on Thursday, April 19, 2018, at 6:00 p.m. at City Hall. Comments on this request from any member of the public may be presented in person at City Hall, by mail (PO Box 2027), or by email (sfloyd@cityofwimberley.com) prior to the hearing. The public will be granted an opportunity to speak at the hearings. Additional information concerning the proposed action is available for review at the Wimberley City Hall, 221 Stillwater, Wimberley, Texas.

FOR IMMEDIATE RELEASE

LEGAL SECTION

PUBLIC NOTICE

By order of the Hays County Commissioners Court, notice is hereby given that on March 20, 2018 at 9 a.m. in the Hays County Courthouse, 111 E. San Antonio Street, the Hays County Commissioners Court will hold a public hearing to consider:

Cleaves Acres, Unit Two, Lot 5 - Replat

NOTICE OF PUBLIC HEARING (Request for Zoning)

Notice is hereby given that the Planning & Zoning Commission of the City of Wimberley will hold a public hearing at the Wimberley City Hall on Thursday, April 12, 2018, at 6:00 p.m. to consider the following: ZA-18-002 - a request to change the zoning from Commercial-Moderate Impact (C-2) to Commercial-High Impact (C-3) for property located at 13900 RR 12. Upon recommendation of the Planning & Zoning Commission, the City Council will also hold a public hearing on Thursday, April 19, 2018, at 6:00 p.m. at City Hall. Comments on this request from any member of the public may be presented in person at City Hall, by mail (PO Box 2027), or by email (sfloyd@cityofwimberley.com) prior to the hearing. The public will be granted an opportunity to speak at the hearings.

Additional information concerning the proposed action is available for review at the Wimberley City Hall, 221 Stillwater, Wimberley, Texas.

PUBLIC NOTICE

Application has been made with the Texas Alcoholic Beverage Commission for a Food and Beverage Certificate and a Wine and Beer Retailers Permit by Penny Henderson dba Oak Creek Cafe, to be located at 660 W Hwy 290, Dripping Springs, Hays County, Texas. Penny Henderson, Owner.

NOTICE OF PUBLIC HEARING (Conditional Use Permit)

Notice is hereby given that the Planning & Zoning Commission of the City of Wimberley will hold a public hearing at the Wimberley City Hall on Thursday, April 12, 2018, at 6:00 p.m. to consider the following: CUP-18-007 - an application for a Conditional Use Permit (CUP) to allow the operation of a vacation rental at 150 Dobie Dr. Upon recommendation of the Planning & Zoning Commission, the City Council will also hold a public hearing on Thursday, April 19, 2018, at 6:00 p.m. at City Hall. Comments on this request from any member of the public may be presented in person at City Hall, by mail (PO Box 2027), or by email (sfloyd@cityofwimberley.com) prior to the hearing. The public will be granted an opportunity to speak at the hearings. Additional information concerning the proposed action is available for review at the Wimberley City Hall, 221 Stillwater, Wimberley, Texas.

Earn more with Quality!
★ ★ ★ 30 YEARS OF SERVICE ★ ★ ★

NANCY LEONA LLOYD LAMBERT DECEASED; HAYS COUNTY COURT AT LAW CAUSE NO. 18-0001-P

The undersigned Independent Executor of the Estate of NANCY LEONA LLOYD LAMBERT, Deceased, of Hays County, Texas, having been granted Letters Testamentary by the County Court of Hays County, Texas, in Probate Cause No. 18-0001-P, on the 12th day of March, 2018, hereby notifies all persons indebted to said Estate to make payment, and those having legal claims against said Estate to present them within the time prescribed by law at the address below. Dated this 14th day of March, 2018, Wanda Sue Lambert Frederick, Executor of the Estate of NANCY LEONA LLOYD LAMBERT, Deceased, c/o MARILYN G. MILLER, Attorney at Law, P.O. Box 917, Dripping Springs, Texas 78620.



Drivers

DRIVERS: LOCAL:
Make \$225 Daily!
Dedicated Out and Back - (San Antonio to Stephenville).
Great Benefits & Equipment! CDL-A req. 417-962-2354
www.wdtnll.com

DRIVERS: LOCAL:
Delivery Drivers
Home EVERY Night!
Excellent Pay, Benefits & Bonuses. CDL-A required.
Available position - s/Apply@apply.labattfood.com



General Help Wanted

Deer Creek of Wimberley is hiring

Full Time CNA
Double Weekends (Shift Differential)
Full Time CNA
2p-10p (Shift Differential)

Please apply in person
555 Ranch Rd. 3237
Wimberley, TX. 78676

General Help Wanted

General Help Wanted

Hill Country MHDD Center
HILL COUNTRY MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES CENTERS
Children's Mental Health Recovery Coach
Hill Country Mental Health and Developmental Disabilities seeking a Qualified Mental Health Professional for their Full-Time Recovery Coach Position. Candidate must possess a Bachelor's Degree in a Human Services Field. Mental Health / IDD Experience Preferred. \$16.34 per hour / \$34K Annual with Excellent Benefits.
Apply online @ www.hillcountry.org
Hill Country MHDD Centers is an EOE

General Help Wanted

General Help Wanted

Hill Country MHDD Center
HILL COUNTRY MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES CENTERS
Community Service Aide III
Hill Country MHDD Centers now hiring Full & Part Time CSA's for their Hays Location - 1200 North Bishop St. San Marcos, TX. This is an excellent opportunity for recent graduating seniors OR jobseekers passionate about working

email Rebecca Manning at manning@cityofwimberley.com

IMMEDIATE HIRE
For male and female caregivers in surrounding locations. Please contact hiring manager. 830.625.0444.

DELIVERY DRIVER
needed. Part-time. Delivering cut flowers from our farm to grocery stores in the Austin and San Antonio area. Starting pay \$12/hour. Must have clean driving record, be punctual and neat. Contact Frank at 830-833-5428 or email wimberleyfarmwork@gmail.com



Free Items

AS IS Mobile Home-Deer Hunting Cabin
Free for haul off- 210-313-4920

Garage Sales

ESTATE SALE
Wimberley Owners lived years overseas so big

General Help Wanted



TexSCAN Week of March 18, 2018

ACREAGE

20.2 acres, Duval County, south Texas brush country. Deer, hogs, and quail. \$4,035 down, \$668/mo. (9.9% 30 years). Larger tracts available. 866-286-0199. www.texastxcountry.com.

AUCTION

Karnes City - Annual Long Live Cowboys Special Female Replacement Sale, Sat. March 24 at noon. 400+ females. Karnes City Auction, Inc. 830-623-2855, 1918 Hwy. 80, Karnes City, TX. www.karnescityauction.com.

ADOPTION

Happy couple wish to adopt - endless love, laughter and opportunity. Call or text anytime. Expenses Paid. Heather and Matt 732-397-3117.

CAREER TRAINING

Airline Mechanic Training - Get FAA certification. Approved for military benefits. Financial Aid if qualified. Job placement assistance. Call Aviation Institute of Maintenance, 800-473-4102.

FINANCE

Receiving payments from real estate you sold? Get cash now! Call Steve: 888-870-2243. www.SteveCashesNotes.com.

EVENT

Ingleisle - Round Up Days, March 23-24, N.O. Simons Park, Ingleisle, TX. Rides, games, food, live entertainment, \$6 Admission. Presented by Ingleisle Chamber of Commerce.

TexSCAN Week of March 18, 2018

Misc. Merchandise

VINTAGE FLOWER
Handmade vintage Totes and bags 512-660-1203



Homes For Sale

IN THE CITY OF WIMBERLEY
a beautiful two story house for sale on 4 acres 3 bedrooms, 3 bath, open kitchen, den and playroom. Wrap around large porch, with outdoor kitchen, covered sitting area great for entertaining, 1 block from the Blanco River. One of the last huge horse barns in the city. Paved driveway, fenced completely for animals, great soil for planting no rocks. 430 Savage Lane. 512 557 6259 Wayne

HOME FOR SALE:
In Fischer a beautiful 2 bed 1.5 bath 1120 sq ft. house on .83 acres. Contact Jessica at 830-992-1570.

General Help Wanted



TexSCAN Week of March 18, 2018

OIL AND GAS RIGHTS

We buy oil, gas & mineral rights. Buy and producing including non-Part Interest (NPI). Provide us your de- offer evaluation. 806-620-1422, Lub- gmail.com. Lobo Minerals, LLC, Lubbock, TX 79408-1800.

TRUCK DRIVE

Be Your Own Boss! Get Paid to see the Drive-Away is looking for CDL D Trucks! Apply Online at www.quali- or call 574-642-2023.

SAWMILLS

Sawmills from only \$4,397.00 - Money with your own handmill - dimension. In stock ready to ship! www.NorwoodSawmills.com. 1 Ext.300N.

TV/INTERNE

DISH TV \$59.99 For 190 Channels Speed Internet. Free Installation, s Included, Free Voice Remote. Some n Call 877-625-4980.

WANTED

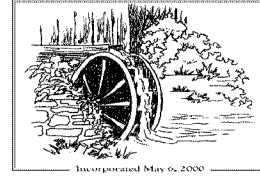
FREON R12 WANTED: Certified CASH for R12 cylinders or cases of 9169, www.refrigerantfinders.com.

RENTAL

Rd to Haschke to River Rapids watch for signs.

TexSCAN Week of March 18, 2018

Report for CUP-18-005



Summary:

An application for a Conditional Use Permit to allow for the operation of a Vacation Rental at 400 CR 1492

Applicant Information:

Applicant: Richard Culleton
4323 Palladio Drive
Austin, TX 78731

Property Owner: Richard Culleton

Subject Property:

Legal Description: Lot 2, Pavilion Park
Location: 400 CR 1492
Existing Use of Property: Residential
Existing Zoning: Residential Acreage (RA)
Proposed Use of Property: Vacation Rental
Proposed Zoning: CUP
Planning Area: I
Overlay District: Protected Waterway

Surroundings:

Frontage On: CR 1492

Area Zoning and Land Use Pattern:

	Current Zoning	Existing Land Use
N of Property	RA, R2	Residential
S of Property	RA	Residential
E of Property	RA, R2	Commercial
W of Property	RA, R1	Residential

Legal Notice

200' Letters: 3/13/2018
Published: 3/22/2018
Sign Placement: 3/23/2018
Responses: 5 properties against within the 200' notice area

Comments:

The applicant, Richard Culleton, has requested a Conditional Use Permit (CUP) to operate a Vacation Rental for property located at 400 CR 1492.

The proposed Vacation Rental consists of four (4) bedrooms & three (3) bathrooms. The City Sanitarian has reviewed this request and stated a maximum occupancy of five (5) people per septic regulations.

City staff is recommending the following conditions be made part of the requested CUP, should City Council recommend approval:

1. No organized outside activities shall be allowed on the property after 10 p.m.

2. No guests, other than paying guests, shall be allowed on the property at any time, unless approved in advanced, in writing, by the owner or their agent.
3. The grounds outside the residence shall remain free of litter and trash at all times.
4. A fire escape plan, identifying fire exits shall be developed and graphically displayed in each guest room.
5. One (1) smoke alarm shall be provided in each guest room, along with a fire extinguisher visible and accessible to guests.
6. A valid taxpayer number for reporting any Texas/City tax shall be provided to the City along with a copy of the completed City of Wimberley/State of Texas Hotel Occupancy Tax Questionnaire, no later than thirty (30) days of such change.
7. The City shall be notified of any change in ownership of the subject property within thirty (30) days of such change.
8. A copy of the requirements set forth in the CUP shall be made available to all guests.
9. The subject property owner shall provide the City and property owners within two hundred (200) feet of the subject property, with the current names and contact information (including telephone numbers and e-mail address) for the local responsible party for the subject property. The local contact shall be able to respond to any incident within thirty (30) minutes of a call and shall be authorized to make decisions regarding tenants at the property. If the name or contact information for the local contact changes, then the property owners shall notify the City and property owners within two hundred (200) feet of the subject property, with the current name and contact information.
10. Unruly gatherings are prohibited. Unruly gathering means a gathering of more than one (1) person which is conducted on premises within the City and which, by reason of the conduct of those persons in attendance, results in the occurrence of one (1) or more of the following conditions or events on public or private property: the destruction of property; obstruction of roadways, driveways, or public ways by crowds or vehicles; excessive noise; disturbances, brawls, fights or quarrels; public urination or defecation; or indecent or obscene conduct or exposure.
11. The property shall be subject to inspection at any time by designated City representatives if compliance is in question, with proper notice provided if feasible.
12. The CUP shall terminate and be considered abandoned if and when there is evidence of no rental activity, based in part of the State/City Hotel Occupancy Tax Reports, for a period of nine (9) months. The burden shall be on the property owner to prove that use of the property has been in continuous use.
13. A property address sign is required and shall be installed on the property no more than ten (10) feet from the street, with the address numbers at least four (4) inches high and two (2) inches wide.
14. One (1) freestanding business sign shall be allowed, but not required, on the property. Such sign shall not exceed four (4) square feet in area and shall be of traditional Hill Country design and color.
15. The maximum occupancy for the property shall be five (5) people.

16. The owner of the property or the owner's agent shall not advertise a maximum occupancy for the vacation rental that is greater than the maximum occupancy established by the City based on septic capacity.
17. The owner of the property or the owner's agent, which may be an agency, shall provide each renter a property map for the vacation rental property that shows the boundaries of the property and advises that trespassing on adjacent property is prohibited.
18. The owner of the subject property shall comply with any and all applicable operating permit requirements that may be established by the City.

To date, opposition received totals 66%. Opposition from three properties outside the notice area has been received; one property outside the notice area has submitted a letter of support. Per City code, a super majority vote is required for approval.

On April 12th the Planning & Zoning Commission voted 6-0-0 to recommend denying the application.

Richard Culleton
4323 Palladio Drive
Austin, Texas 78731

April 9th, 2018

City of Wimberley
Planning and Zoning

Everyone,

I wish I could be here to explain the situation in person but I am working in Central America and will not be back in Texas in time for your hearing.

My wife and I bought the property located at 400 CR 1492 in Wimberley with the intention of completing the construction abandoned by the previous owners and turning this into a place that could be used occasionally for family gatherings.

Although the license we applied for appears to be intended for something much more commercial, our intention is to rent the property 6 to 10 times per year. The income would allow us to complete the shell structure that was started many years ago and make other improvements to the property.

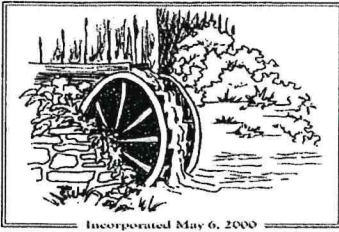
If the City of Wimberley is willing I would agree to limit the number of rentals per calendar year and restrict rentals to only families. I would place a limit on the number of overnight guests if that is a concern as well.

Thank you for your time.

Sincerely,

A handwritten signature in cursive script that reads "Richard M. Culleton".

Richard Culleton



Village of Wimberley

CONDITIONAL USE PERMIT APPLICATION

No. CUP-18 - 005

FOR OFFICIAL USE ONLY

Application Date: 2-20-18 Tentative P&Z Hearing: 4/12/18 Tentative Council Hearing: 4/19/18
FEES: \$400.00 DATE PAID: 2-20-18 CHECK NO. REC'D BY S.I.F.

PROJECT SITE ADDRESS: 600 CR 1492 Wimberley, TX. 78676
OWNER/APPLICANT Richard Culleton PHONE
FAX () N/A EMAIL:
Mailing Address: 4323 Palladio Dr CITY: Austin STATE: Tx ZIP: 78731

APPLICANT UNDERSTANDS that the purpose of the Conditional Use Permit (CUP) process is to allow certain uses which are not specific permitted uses within a zoning district. To be considered for a CUP, the requested use must be listed under "Conditional Uses" within the applicable zoning district.

ZONING: Res RA CONDITIONAL USE REQUESTED: (e.g. Bed & Breakfast Lodging)

Vacation Rental
Property ID R37939
Planning Area I Zoning Res Total Acreage or Sq. Ft. 8.06 Acres / 2,246sf

Subdivision: Pavilion Park Lot 2 Block

Appraisal District Tax ID#: R 37939

Deed Records Hays County: Volume 2385 Page 409

Is property located in an overlay district? ☒ Yes ☒ No - If Yes,

Type: PROTECTED WATERWAY

Is property located in flood plain? ☒ Yes ☒ No

Utilities:

Electric Provider: Pedernales Electric

Water Provider or Private Well: Wimberley Water Supply

Wastewater Service Provider or Hays County Septic Permit No: Wimberley Water Supply

WASTEWATER SYSTEM: The wastewater treatment system (to be designed and constructed) will at all times be adequate for the maximum occupancy. 42.3 H.

WATERFRONT USAGE: (Applicable if guests have water access) Guests may only use the Blanco River/Creek in the area directly adjacent to the bed and breakfast lodging facility. Guests may not use the River/Creek in front of other properties or enter upon any property which is not part of the bed and breakfast facility for the purpose of entering or exiting the water or for any other reason. 42.3 E.

PROPERTY MANAGEMENT: Owner will provide guests and close-by neighbors with owner's telephone number to assure Owner's immediate knowledge of any concerns that may arise. (If not owner occupied) Owner agrees to retain under contract a responsible local management company at all times the property is used as a non-owner occupied bed and breakfast lodging. The management company shall advise guests of the applicable conditions contained herein, receive and pass on to owner any complaints received and at owner's direction act upon such complaints. (If Owner occupied) The property shall be the owner's principal place of residence and the owner shall actively supervise and manage the property at all times that it is used as a bed and breakfast facility. 42.3 D.

MISCELLANEOUS: Owner agrees to maintain the property in a manner conducive to the health and safety of the guests and the neighborhood. All trash and garbage will be placed in provided receptacles which shall not be visible from the street except on pick-up day. No trash bags shall be left out in the open. The exterior of the facility and the landscaping, including lawns, will be maintained in good condition at all times. 42.2 A 1.

REVOCATION: The cup may be revoked by the City Council upon recommendation of the planning and Zoning Commission in the event of the violation of any of the conditions contained therein.

OWNER COMPLIANCE: Owners agree to comply with all City of Wimberley Ordinances, and all state, county and City laws, rules and regulations.

ACCEPTED AND AGREED TO:

February 19th 2018
DATE

Richard M. Culb
OWNER

DATE

OWNER

MY REQUEST IS BASED ON THE FOLLOWING:

- (☒) The use is harmonious and compatible with surrounding existing uses or proposed uses, and does not adversely affect an adjoining site than would a permitted use;
- (☒) The use requested by the applicant is set forth as a conditional use in the base district;
- (☒) The nature of the use is reasonable;
- (☒) The conditional use does not adversely affect the safety or convenience of vehicular or pedestrian circulation, including reasonably anticipated traffic and uses in the area;
- (☒) The conditional use does not adversely affect an adjacent property by its resulting traffic through the location, or its lighting, or its type of sign; and
- (☒) That any additional conditions specified, if any, ensure that the intent and purposes of the base district are being upheld.

ADDITIONAL REQUIREMENTS/DOCUMENTATION

- (☒) Metes and bounds description and a survey (i.e., drawing) exhibit showing the property for which the CUP is being requested.
- (☒) Site Plan drawn to scale and showing the general arrangement of the project, together with essential requirements such as off-street parking facilities; size height, construction materials, and locations of buildings and the uses to be permitted; location and construction of signs; means of ingress and egress to public streets; the type of visual screening such as walls, plantings and fences; and the relationship of the intended use to all existing properties and land uses in all directions to a minimum distance of two hundred feet (200').
- () List of Special Conditions that Applicant agrees apply to property. *N/A*
- () List of all property owners, with mailing addresses located within two hundred feet (200') of any point of the subject property. *N/A*
- (☒) Payment of Application fee \$400.00 (non-refundable)
- (☒) Applicant agrees to attend public hearings before the P&Z Commission as well as the City Council concerning this application; or waives his/her right to appear, understanding that if questions are raised that cannot be answered, the matter may be continued, or denied.
- (☒) Applicant has checked the subdivision plat notes, deed restrictions, restrictive covenants and/or zoning actions to ensure that there are no restrictions on the subject property and applicant understands that the City zoning action does not relieve any obligation of these restrictions.
- (☒) Applicant agrees to provide additional documentation as needed by the City.
- (☒) Applicant understands that City review of this Application is dependent upon the accuracy of the information provided and that any inaccurate or inadequate information provided may delay the review of the Application. Applicant, by his/her signature below, certifies that to the best of his/her knowledge said information is complete and correct.
- (☒) Applicant hereby authorizes the City representatives to visit and inspect the subject property.

February 14th 2018
DATE

Richard M. Cullen
APPLICANT SIGNATURE

WHEN APPLICABLE:

Date _____

AGENT SIGNATURE

**LIST OF CONDITIONS THAT MAY BE INCLUDED IN A
BED AND BREAKFAST/VACATION RENTAL CUP**

Owner: Richard M Culleton

LOCATION OF PROPERTY: 400 CR 1492

LEGAL DESCRIPTION: Pavilion Park, Lot PT of 2

PLANNING AREA: _____

PRESENT ZONING: Residential

EXISTING USE: Single Family Home

USE TO BE GRANTED: _____ *Bed & Breakfast* OR ☒ *Vacation Rental*

NEW CONSTRUCTION: (Describe existing construction) If new construction is contemplated: Describe new construction. The architecture and façade of all new construction will be traditional "Hill Country" design and harmonious with those of adjacent uses. No construction shall commence prior to compliance with all applicable ordinances, laws, rules and regulations.

COMPATIBILITY TO NEARBY AREAS: The facilities on the property will at all times be harmonious and compatible with surrounding uses 42.2 A 1.

OFF-STREET PARKING: All parking will be off-street. _____ Off-street parking spaces will be provided for off-street guest parking, which will be adequate for a maximum occupancy of _____ guests. Parking will be in these spaces only. 42.2 A 5; 42.3 F.

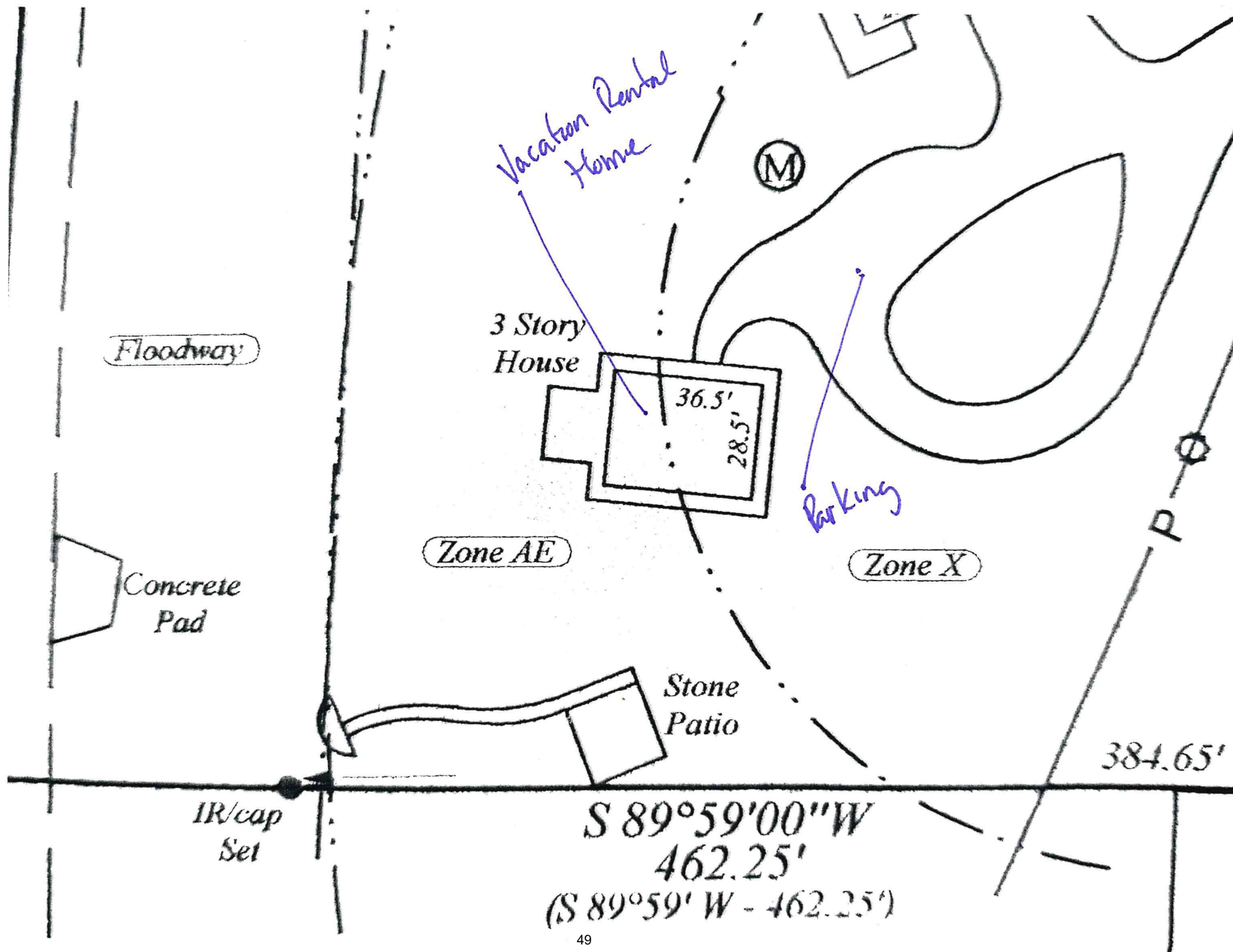
SIGNAGE: All signage will be of traditional "Hill Country" design and will comply with the City Sign Ordinance. 42.2 A 1; 42.2 A 6.

NOISE AND LIGHTING: Exterior lighting to be only landscape lighting. All noise audible from outside, and all light visible from outside the property shall be maintained at low levels appropriate to a single family neighborhood. No large parties are permitted.

NUMBER OF BEDROOMS: 4 42.3 B. 3 bathrooms

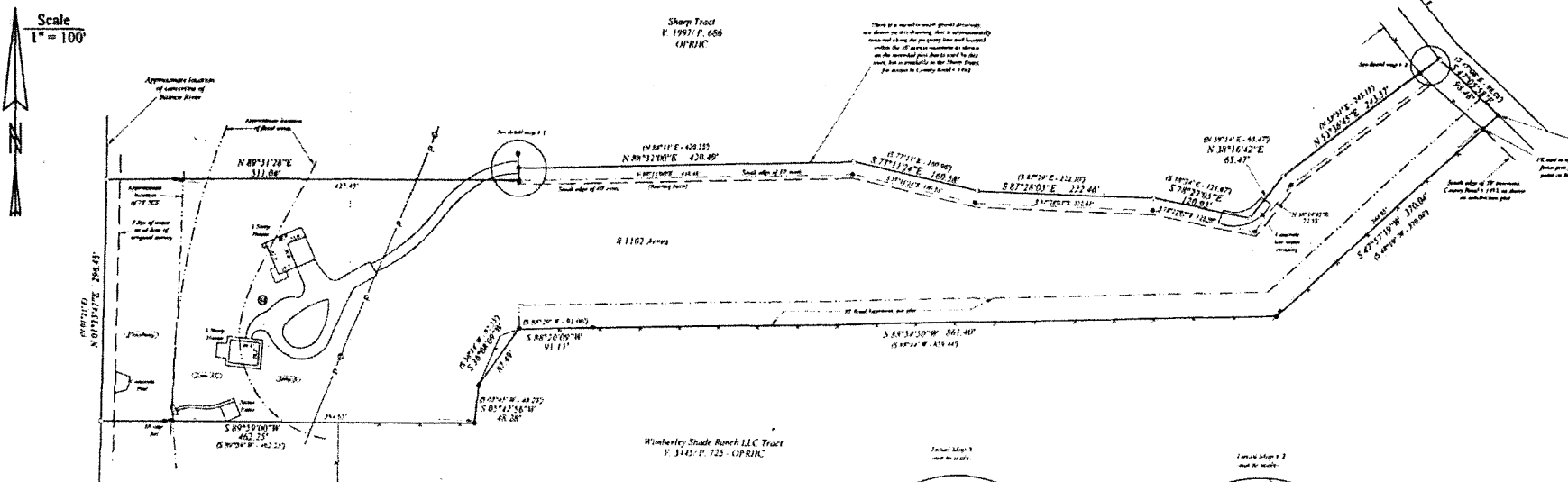
MAXIMUM OCCUPANCY: 8 guests. 42.3 B. 5 people

OCCUPANT REGULATIONS AND GUIDELINES: Guest Guidelines are attached hereto and made a part of this Conditional Use Permit. The bed and breakfast lodging facility shall be operated in accordance with the guidelines. These guidelines shall be furnished to all guests. 42.3 D.



Reference attached metes
and bounds description
marked Exhibit A

Scale
1" = 100'



Surveyor's Notes:

1. Volume 3, 1878, *HCPR*, describes a "75 Sanitary Council Agreement (SCA) Incentives" from the owner's side, a 10 public utility easement (PUF) along all property lines, shows a 30 road easement (referenced in Volume 336, Page 727, *HCPR*), and a 40 access drive easement entered along the existing gravel driveway and a 30 road easement along the southern portion of the tract, referenced in Volume 157, Page 659, *Deed of Trust*.
2. Volume 336, 1881, *HCPR*, describes owner restrictions including 25' exterior and 33' interior building line. These building lines are not shown due to lack of space but are in effect. No building restriction encroaches over any setback line.
3. Volume 107, 1920, describes a 10-foot PUF.
4. A memorial plaque, shown herein, appears to be commemorating the location of ashes of A. & M. Spera. Samuel F. Johnson may have been decedent by the Daughters of the Republic of Texas.
5. Trees are shown for genetic purposes and may wander along property lines slightly.
6. This tract is subject to the documents' easements recorded in Volumes 251, 253, 336, Volumes 721 & 727, *HCPR*, and Volume 2534, Page 869, *OPHC*.

FOR: Richard Culleton and Katherine Culleton GF: 1731047-WIM/ Independence Title

DATE: September 28, 2016, updated September 5, 2017 to reflect title commitment.

ADDRESS: 400 County Road # 1492, Wimberley, Texas.

The undersigned does hereby certify that this survey was made on the ground of the property legally described hereon and is essentially correct and that there are no visible discrepancies, encroachments, overlapping of improvements, visible utility easements or roadways, except as shown and that said property has access to a public road. Only those plats with a red surveyors seal and red signature shall be deemed reliable and authentic.

Ronald D. Hayes, Registered Professional Land Surveyor, No. 5703

According to the scaling of Map Panel 0355 F of the September 2, 2005 insurance rate map for the County of Hays, Texas, the property described hereon is partially in the Zone "AE" and "Floodway" of the flood hazard area and determined to be partially inside the 100 year flood zone.



Legend

- (1992)
 Effluent Public Records of Hays County
 (1992)
 Real Property Records of Hays County
 10,739
 Hays County Plot Records
 10,738
 Hays County Flood Records
 () Flows from municipal
 wastewater plant
 V M P 145 - 10,738
 Wastewater
 Chasland Provision
 Inoperative
 Calculated points for property owners
 U2' FR based on water effluent record
 &
 Municipal Manager

File # CR149203
Field Book # 81
Page # 37

HAYES SURVEYING
202 SUNFLOWER DRIVE
KYLE, TEXAS 78640
512-268-4813

§ 155.035 RESIDENTIAL ACREAGE; RA.

(A) *General purpose and description.* The RA, residential acreage district is designed to permit the use of land for the propagation and cultivation of crops and similar uses of vacant land. Single-family uses on large lots are also appropriate for this district. Territory that has been newly annexed into the city is given the RA classification until it is assigned another more permanent zoning district.

(B) *Permitted uses.*

(1) One residence, including:

(a) One single-family detached dwelling;

(2) Farms, barns, nurseries, greenhouses, or gardens on parcels 5 acres or larger, limited to the propagation and cultivation of plants, provided no retail business is conducted on the premises except as provided under home occupation, as defined in § 155.005, and except as may be permitted with a conditional use permit (CUP);

(3) Accessory buildings and uses, customarily incidental to the above uses and located on the same lot therewith, but not involving the conduct of a retail business except as provided herein:

(a) The term accessory use shall include customary home occupations as herein defined. See § 155.076 for additional accessory use requirements;

(b) A detached private garage used in conjunction with the main building;

(c) Detached garages with living quarters (such as garage/accessory dwelling), detached employee (such as caretaker's) quarters (with a garage), or other accessory buildings such as barns, sheds, and other structures are permitted. Detached employee quarters without a garage may be permitted only by CUP, and are required to be on a lot 5 acres or larger. Only 1 accessory dwelling unit (such as garage/accessory dwelling, employee quarters, and the like) shall be allowed on any lot within the RA district, and it shall be clearly incidental to the primary use (such as single-family detached residential). These accessory living structures shall not, in any case, be sold separately from the main dwelling.

(4) Private open space or other private recreational amenities as part of a residential subdivision and not for commercial purposes.

(5) Swimming pool (private);

(6) Commercial row and field crops;

(7) Commercial livestock; and

(8) Religious assembly.

(9) One secondary single-family residential building built on site, provided the secondary residence is not used as a short or long term rental.

(C) *Conditional uses.*

(1) Bed and breakfast lodging or vacation rental which may be in the primary or secondary residential building or in cottages or cabins;

(2) Home day care;

(3) Home commercial crafts or hobbies;

(4) Telecommunications towers, commercial antennas, and broadcast towers, subject to all applicable city regulations;

(5) Two-family residential (duplex); and

(6) Utilities.

(7) One Mobile or manufactured home installed on a permanent foundation, as the primary residence.

(D) *Development regulations.*

(1) Minimum lot size: 5 acres or more.

(2) Maximum building height (as defined in § 155.005):

(a) Primary residential building: not more than 2 stories and not more than 28 feet with flat roof (see definition) or 35 feet with pitched roof;

(b) Secondary residential building: not more than 2 stories and not more than 28 feet with flat roof (see definition) or 35 feet with pitched roof;

(c) Accessory buildings: not more than 18 feet and not more than 1 story;

(d) Decks: not more than 12 feet including a railing only or 18 feet including a roof; and

(e) Barns, silos, water towers: 45 feet if more than 90 feet from residential buildings or property line, otherwise 28 feet.

(3) For minimum setbacks, no construction, including buildings, parking areas, and driveways, except entry driveways, and no placement or display of commercial material and equipment shall be allowed in the setbacks. The minimum setbacks shall be the larger of the dimensions in § 155.078(A), Table A, or the following:

(a) Dominant street: 50 feet;

(b) Secondary street: 25 feet; and

(c) Interior side and rear: 15% of lot width, but need not be greater than 25 feet.

(4) Minimum floor area:

(a) Primary residential building: 1,000 square feet;

(b) Secondary residential building: 600 square feet; and

(c) Bed and breakfast units: 200 square feet.

(5) Maximum impervious cover: 20%. Impervious cover shall be calculated as a percentage of the net site area and shall be the lesser of the percentage specified above in this district description or the percentage for the average lot slope in § 155.078(M), Table C.

(6) The parking and trash collection ordinances will apply.

(E) *Special requirements.*

(1) Recreational vehicles, travel trailers, or motor homes may not be used for on-site dwelling purposes.

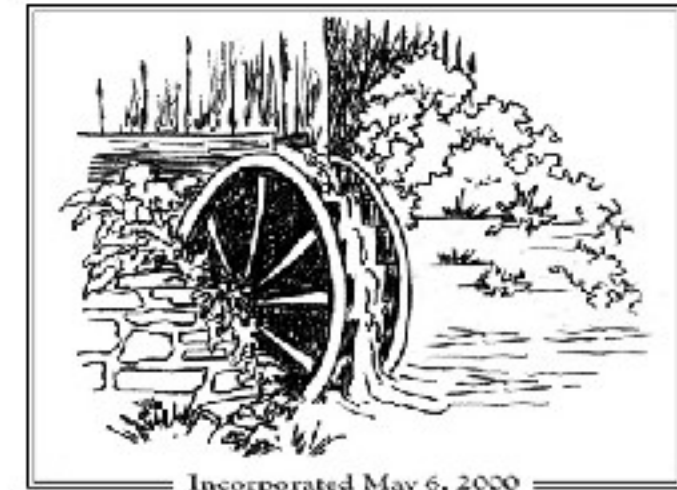
(2) Electrical fencing and barbed wire is prohibited as perimeter fencing except for containment of farm animals on 2 or more acres.

(3) Open storage is prohibited, except for materials for the resident's personal use or consumption such as firewood, garden materials, and the like.

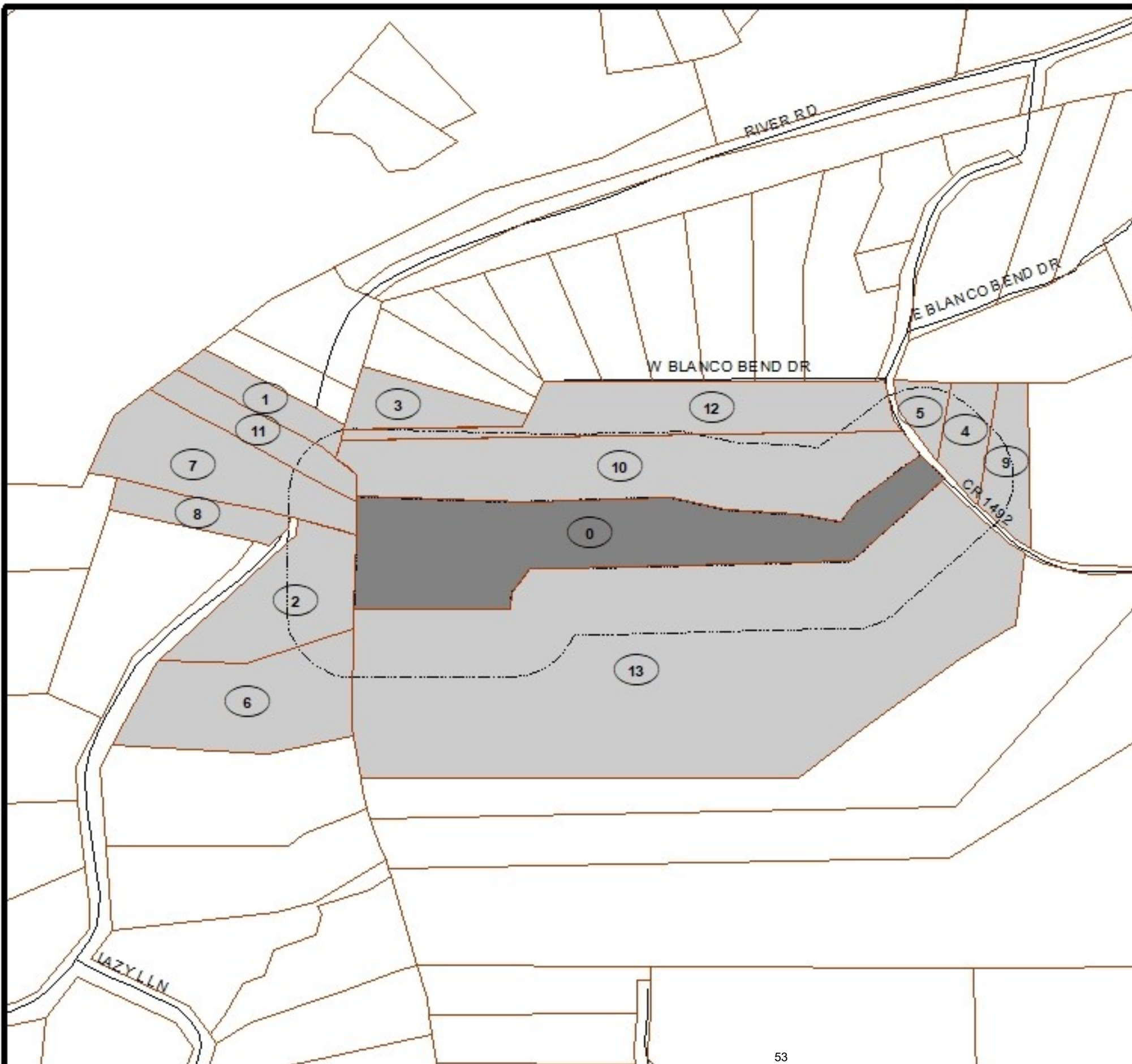
(4) Single-family homes with side entry garages where lot frontage is only to 1 street (not a corner lot) shall have a minimum of 25 feet from the door face of the garage or carport to the side property line for maneuvering.

(F) *Other regulations.* As established in §§ 155.075*et seq.*, development standards. (Ord. 2001-010, § 14, passed 4-1-2001; Am. Ord. 2003-006, passed 7-3-2003) Penalty, see § 155.999

CUP-18-005 ~ 400 CR 1492



200' NOTIFICATION



Legend

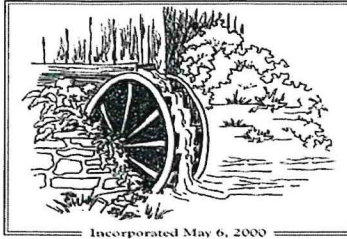
--- 1200' NOTICE BUFFER

ID. OWNER

0.	CULLETON, RICHARD-SUBJECT TRACT
1.	BOOTHE BROTHERS PAVING CO INC
2.	COCO, TARAD
3.	CUDD, DALE & ERIN
4.	FERRAR, ROBERT BRIAN
5.	FERRAR, ROBERT BRIAN
6.	GRINSTEAD STEVIS & MARILEE M WOOD
7.	JOHNSON, CARL & SHEILA
8.	JOHNSON, CARL & SHIELA
9.	SELL, PHILLIP & TRACIE
10.	SHARP CHRIS S & V CLAIRE ROBERTS
11.	SPEARS, DAMON & KELLY
12.	WATKINS, EDWARD III & REBECCA
13.	WIMBERLEY SHADE RANCH LLC



0 185 370
Feet



City of Wimberley

221 Stillwater (P.O. Box 2027), Wimberley, Texas 78676
Phone: 512-847-0025 Fax: 512-847-0422 Web: cityofwimberley.com

March 13, 2018

NOTICE OF PUBLIC HEARING

Re: File No. CUP-18-005

400 County Road 1492

A request for a Conditional Use Permit (CUP) to allow the operation of a Vacation Rental

Dear Property Owner:

You are receiving this letter because you own property within 200 feet of the above-referenced location.

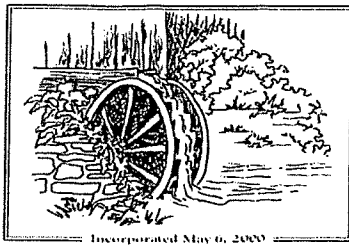
The applicant, Richard Culleton, has requested a Conditional Use Permit (CUP) to operate a Vacation Rental at 400 CR 1492. The current zoning for this property is Residential Acreage (RA). The City of Wimberley Planning & Zoning Commission will consider this request at a public hearing on **Thursday, April 12, 2018, at 6:00 p.m.** in the Wimberley City Hall, 221 Stillwater. Upon a recommendation from the Commission, City Council will hold a public hearing to consider the same request on **Thursday, April 19, 2018, at 6:00 p.m.**

Because the granting of this request may affect your property, you are encouraged to participate in the zoning process. The public will be given an opportunity to speak during the hearing. If you wish to comment but are unable to attend, written comments may be submitted prior to the meeting.

Additional information regarding the proposed request is available for public review at City Hall during normal business hours. Should you have questions, please feel free to email or contact me at 512-847-0025.

Thank you,

Sandy I. Floyd
Planning & Development Coordinator
GIS Analyst
sfloyd@cityofwimberley.com



City of Wimberley

221 Stillwater, P.O. Box 2027, Wimberley, Texas, 78676

Phone: (512) 847-0025 – Fax: (512) 847-0422

www.cityofwimberley.com

NOTICE BY SIGN POSTING

Date: 03/20/2018

Zoning No: CUP-18-005

Owner _____

To: Code Enforcement/Public Works

Please place a Proposed Zoning Sign on the following property

() Project Site Address 400 CR 1492

located on _____

Aaron Reed
Public Works/ Code Enforcement

Note: The above-referenced sign was placed on the subject property on

_____, 20____

Signature

**Proposed
Zoning
PUBLIC HEARING**
For information Contact
The City of Wimberley
(512) 847-0025
Please Refer to File Number...

CUP-18-005



Do Not Remove

03/23/2018

Hays County Development Service (512) 393-2150. Tracking number SUB-928.

PUBLIC NOTICE

THE STATE OF TEXAS

THE COUNTY OF HAYS

TO THOSE INDEBTED TO OR HOLDING CLAIMS AGAINST THE ESTATE OF SAMUEL ALEXANDER, DECEASED; HAYS COUNTY COURT AT LAW CAUSE NO. 18-0056-P

The undersigned Independent Executor of the Estate of Samuel Alexander Deceased, of Hays County, Texas, having been granted Letters Testamentary by the County Court of Hays County, Texas, in Probate Cause 18-0056-P, on the 12th day of March, 2018, hereby notifies all persons indebted to said Estate to make payment, and those having legal claims against said Estate to present them within the time prescribed by law at the address below. Dated the 13th day of March, 2018, Reggie Alexander, Independent Executor of the Estate of Samuel Alexander, Deceased, c/o MARILYN G. MILLER, Attorney at Law, P.O. Box 917, Dripping Springs, Texas 78620.

NOTICE OF PUBLIC HEARING (Request for Subdivision)

Notice is hereby given that the Planning & Zoning Commission of the City of Wimberley will hold a public hearing at the Wimberley City Hall on Thursday, April 12, 2018, at 6:00 p.m. to consider the following: S-17-010 - an application for a subdivision and an associated variance from Section 154.063(c) of the City Subdivision Code requiring lots to be rectangular in size and conform to the average depth to average width ratio on a 6.23 acre tract located at 371 Pinion Trail. Upon recommendation of the Planning & Zoning Commission, the City Council will also hold a public hearing on Thursday, April 19, 2018, at 6:00 p.m. at City Hall. Comments on this request from any member of the public may be presented in person at City Hall, by mail (PO Box 2027), or by email (sfloyd@cityofwimberley.com) prior to the hearing. The public will be granted an opportunity to speak at the hearings. Additional information concerning the proposed action is available for review at the Wimberley City Hall, 221 Stillwater, Wimberley, Texas.

NOTICE OF PUBLIC HEARING (Conditional Use Permit)

Notice is hereby given that the Planning & Zoning Commission of the City of Wimberley will hold a public hearing at the Wimberley City Hall on Thursday, April 12, 2018, at 6:00 p.m. to consider the following: CUP-18-006 - an application for a Conditional Use Permit (CUP) to allow the operation of a liquor store at 111 Old Kyle Rd, Ste. 310. Upon recommendation of the Planning & Zoning Commission, the City Council will also hold a public hearing on Thursday, April 19, 2018, at 6:00 p.m. at City Hall. Comments on this request from any member of the public may be presented in person at City Hall, by mail (PO Box 2027), or by email (sfloyd@cityofwimberley.com) prior to the hearing. The public will be granted an opportunity to speak at the hearings. Additional information concerning the proposed action is available for review at the Wimberley City Hall, 221 Stillwater, Wimberley, Texas.

NOTICE OF ENACTMENT OF ORDINANCE NO. 2018-11

An ordinance amending Chapter 50 (Sewers and Water), Section 50.63 (Connection to the Sewer System Required), of the Code of Ordinances of the City of Wimberley, Texas, in order to establish the requirements for mandatory connection to a public wastewater system; and providing for an effective date; proper notice and meeting, savings, severability and repealer.

NOTICE OF ENACTMENT OF ORDINANCE NO. 2018-02

An ordinance of the City of Wimberley, Texas, to increase the tax rate to be imposed on hotel occupancy within the corporate limits and extrajurisdictional jurisdic-

NOTICE OF PUBLIC HEARING (Conditional Use Permit)

Notice is hereby given that the Planning & Zoning Commission of the City of Wimberley will hold a public hearing at the Wimberley City Hall on Thursday, April 12, 2018, at 6:00 p.m. to consider the following: CUP-18-005 - an application for a Conditional Use Permit (CUP) to allow the operation of a vacation rental at 400 CR 1492. Upon recommendation of the Planning & Zoning Commission, the City Council will also hold a public hearing on Thursday, April 19, 2018, at 6:00 p.m. at City Hall. Comments on this request from any member of the public may be presented in person at City Hall, by mail (PO Box 2027), or by email (sfloyd@cityofwimberley.com) prior to the hearing. The public will be granted an opportunity to speak at the hearings. Additional information concerning the proposed action is available for review at the Wimberley City Hall, 221 Stillwater, Wimberley, Texas.

FOR IMMEDIATE RELEASE

LEGAL SECTION

PUBLIC NOTICE

By order of the Hays County Commissioners Court, notice is hereby given that on March 20, 2018 at 9 a.m. in the Hays County Courthouse, 111 E. San Antonio Street, the Hays County Commissioners Court will hold a public hearing to consider:

Cleaves Acres, Unit Two, Lot 5 - Replat

NOTICE OF PUBLIC HEARING (Request for Zoning)

Notice is hereby given that the Planning & Zoning Commission of the City of Wimberley will hold a public hearing at the Wimberley City Hall on Thursday, April 12, 2018, at 6:00 p.m. to consider the following: ZA-18-002 - a request to change the zoning from Commercial-Moderate Impact (C-2) to Commercial-High Impact (C-3) for property located at 13900 RR 12. Upon recommendation of the Planning & Zoning Commission, the City Council will also hold a public hearing on Thursday, April 19, 2018, at 6:00 p.m. at City Hall. Comments on this request from any member of the public may be presented in person at City Hall, by mail (PO Box 2027), or by email (sfloyd@cityofwimberley.com) prior to the hearing. The public will be granted an opportunity to speak at the hearings. Additional information concerning the proposed action is available for review at the Wimberley City Hall, 221 Stillwater, Wimberley, Texas.

PUBLIC NOTICE

Application has been made with the Texas Alcoholic Beverage Commission for a Food and Beverage Certificate and a Wine and Beer Retailers Permit by Penny Henderson dba Oak Creek Cafe, to be located at 660 W Hwy 290, Dripping Springs, Hays County, Texas. Penny Henderson, Owner.

NOTICE OF PUBLIC HEARING (Conditional Use Permit)

Notice is hereby given that the Planning & Zoning Commission of the City of Wimberley will hold a public hearing at the Wimberley City Hall on Thursday, April 12, 2018, at 6:00 p.m. to consider the following: CUP-18-007 - an application for a Conditional Use Permit (CUP) to allow the operation of a vacation rental at 150 Dobie Dr. Upon recommendation of the Planning & Zoning Commission, the City Council will also hold a public hearing on Thursday, April 19, 2018, at 6:00 p.m. at City Hall. Comments on this request from any member of the public may be presented in person at City Hall, by mail (PO Box 2027), or by email (sfloyd@cityofwimberley.com) prior to the hearing. The public will be granted an opportunity to speak at the hearings. Additional information concerning the proposed action is available for review at the Wimberley City Hall, 221 Stillwater, Wimberley, Texas.

Earn more with Quality!
★ ★ ★ 30 YEARS OF SERVICE ★ ★ ★

NANCY LEONA LLOYD LAMBERT DECEASED; HAYS COUNTY COURT AT LAW CAUSE NO. 18-0001-P

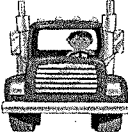
The undersigned Independent Executor of the Estate of NANCY LEONA LLOYD LAMBERT, Deceased, of Hays County, Texas, having been granted Letters Testamentary by the County Court of Hays County, Texas, in Probate Cause No. 18-0001-P, on the 12th day of March, 2018, hereby notifies all persons indebted to said Estate to make payment, and those having legal claims against said Estate to present them within the time prescribed by law at the address below. Dated this 14th day of March, 2018, Wanda Sue Lambert Frederick, Executor of the Estate of NANCY LEONA LLOYD LAMBERT, Deceased, c/o MARILYN G. MILLER, Attorney at Law, P.O. Box 917, Dripping Springs, Texas 78620.



Drivers

DRIVERS: LOCAL:
Make \$225 Daily!
Dedicated Out and Back - (San Antonio to Stephenville).
Great Benefits & Equipment! CDL-A req. 417-962-2354
www.wdtnll.com

DRIVERS: LOCAL:
Delivery Drivers
Home EVERY Night!
Excellent Pay, Benefits & Bonuses. CDL-A required.
Available position - s/Apply@apply.labattfood.com



General Help Wanted

Deer Creek of Wimberley is hiring
Full Time CNA
Double Weekends (Shift Differential)
Full Time CNA
2p-10p (Shift Differential)
Please apply in person
555 Ranch Rd. 3237
Wimberley, TX. 78676

General Help Wanted

Hill Country MHDD Center
HILL COUNTRY MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES CENTERS
Children's Mental Health Recovery Coach
Hill Country Mental Health and Developmental Disabilities seeking a Qualified Mental Health Professional for their Full-Time Recovery Coach Position. Candidate must possess a Bachelor's Degree in a Human Services Field. Mental Health / IDD Experience Preferred. \$16.34 per hour / \$34K Annual with Excellent Benefits.
Apply online @ www.hillcountry.org
Hill Country MHDD Centers is an EOE

General Help Wanted

Hill Country MHDD Center
HILL COUNTRY MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES CENTERS
Community Service Aide III
Hill Country MHDD Centers now hiring Full & Part Time CSAs for their Hays Location - 1200 North Bishop St. San Marcos, TX. This is an excellent opportunity for recent graduating seniors OR jobseekers passionate about working

email Rebecca Manning at manning@cityofwimberley.com

IMMEDIATE HIRE
For male and female caregivers in surrounding locations. Please contact hiring manager. 830.625.0444.

DELIVERY DRIVER
needed. Part-time. Delivering cut flowers from our farm to grocery stores in the Austin and San Antonio area. Starting pay \$12/hour. Must have clean driving record, be punctual and neat. Contact Frank at 830-833-5428 or email wimberleyfarmwork@gmail.com



Free Items

AS IS Mobile Home-Deer Hunting Cabin
Free for haul off- 210-313-4920

Garage Sales

ESTATE SALE
Wimberley
Owners lived years overseas so big

General Help Wanted



TexSCAN Week of March 18, 2018

ACREAGE

20.2 acres, Duval County, south Texas brush country. Deer, hogs, and quail. \$4,035 down, \$668/mo. (9.9% 30 years). Larger tracts available. 866-286-0199. www.texastxcountry.com.

AUCTION

Karnes City - Annual Long Live Cowboys Special Female Replacement Sale, Sat, March 24 at noon. 400+ females. Karnes City Auction, Inc. 830-623-2855, 1918 Hwy. 80, Karnes City, TX. www.karnescityauction.com.

ADOPTION

Happy couple wish to adopt - endless love, laughter and opportunity. Call or text anytime. Expenses Paid. Heather and Matt 732-397-3117.

CAREER TRAINING

Airline Mechanic Training - Get FAA certification. Approved for military benefits. Financial Aid if qualified. Job placement assistance. Call Aviation Institute of Maintenance, 800-473-4102.

FINANCE

Receiving payments from real estate you sold? Get cash now! Call Steve: 888-870-2243. www.SteveCashesNotes.com.

EVENT

IngleSide - Round Up Days, March 23-24, N.O. Simons Park, IngleSide, TX. Rides, games, food, live entertainment, \$6 Admission. Presented by IngleSide Chamber of Commerce.

Texas Press Statewide Classified Network

Rd to Haschke to River Rapids watch for signs.

Misc. Merchandise

VINTAGE FLOWER
Handmade vintage Totes and bags 512-660-1203



Homes For Sale

IN THE CITY OF WIMBERLEY
a beautiful two story house for sale on 4 acres 3 bedrooms, 3 bath, open kitchen, den and playroom. Wrap around large porch, with outdoor kitchen, covered sitting area great for entertaining, 1 block from the Blanco River, One of the last huge horse barns in the city. Paved driveway, fenced completely for animals, great soil for planting no rocks. 430 Savage Lane. 512 557 6259 Wayne

HOME FOR SALE:
In Fischer a beautiful 2 bed 1.5 bath 1120 sq ft. house on .83 acres. Contact Jessica at 830-992-1570.

General Help Wanted



TexSCAN Week of March 18, 2018

OIL AND GAS RIGHTS

We buy oil, gas & mineral rights. Buy and producing including non-Part Interest (NPI). Provide us your de- offer evaluation. 806-620-1422, Lub- gmail.com. Lobo Minerals, LLC, Lubbock, TX 79408-1800.

TRUCK DRIVE

Be Your Own Boss! Get Paid to see the Drive-Away is looking for CDL D Trucks! Apply Online at www.quali- or call 574-642-2023.

SAWMILLS

Sawmills from only \$4,997.00 - Money with your own handmill - dimension. In stock ready to ship! www.NorwoodSawmills.com. 1 Ext.300N.

TV/INTERNE

DISH TV \$59.99 For 190 Channels Speed Internet. Free Installation, s Included, Free Voice Remote. Some n Call 877-625-4980.

WANTED

FREON R12 WANTED: Certified CASH for R12 cylinders or cases of 9169, www.refrigmanfinders.com.

RENTAL

2/2 WIM FULLY F Minutes 1+ acre Sno Wel No Pets, lease i Water & Tenant p cable \$2100 \$2100 512-2

Chris Sharp and V. Claire Roberts
13506 Myrtlea Drive
Houston, TX 77079

March 15, 2018

City of Wimberley
% Sandy Floyd, Planning & Development Coordinator
221 Stillwater
Wimberley, TX 78676

Re: Protest Response to File No. CUP-18-005

We are responding to the letter recently sent regarding a request to operate a vacation rental at 400 CR1492. We own 400B CR1492, which is the 7.7-acre tract that is adjacent to this property, and purchased in 2001. This letter serves as a formal protest of the proposed Conditional Use Permit (CUP).

We are currently building a home on our property that we intend to make our permanent residence once completed in April or May. See permits issued by the City of Wimberley for 400B CR 1492. After he purchased this home and garage apartment in 2017, Mr. Culleton stated "he and his family planned to come over from Austin to enjoy the river on the weekends." He never told us that he intended to rent it out. Although Mr. Culleton does operate commercial rental properties in Austin, and in Costa Rica, he never gave us the impression that this property would be used as an asset in his commercial real estate business.

We are protesting the re-zoning of our property from "Residential Acreage" to "Vacation Rental" due to the following:

1. Security – We share and maintain the private drive and gate that accesses both of these tracts of land. The shared road literally is the dividing line between the two tracts. We discussed getting an electronic gate with Mr. Culleton once our construction is completed. We are concerned that due to the secluded nature of our home, we will not know how many people are gaining access to our property, or how many people will have the gate code (and thus potential access to the property after the rental period). Additionally, unlike urban/suburban neighborhoods, we have very few close neighbors, should there be a security incident. Chris travels a great deal, and Claire will not feel as secure when home alone knowing we have this security exposure.
2. Privacy – There is no fence that separates our tract from Mr. Culleton's tract of land. We have provided an easement to Mr. Culleton to cross 40 feet of our property in order to access his driveway and home. We did not anticipate having to erect any barriers or fencing between our properties, as there has always been an understanding as to where our property lines are. With renters, that will likely not be the case, and the probability of trespass is increased. We understand there is a requirement by the City to post property boundaries, allowed parking and other requirements within the property; but we do not see a requirement to provide this type of information with the rental agreement, and therefore agreed upon in

advance. This creates additional risk that the rules will be disregarded, as they are not part of the rental agreement.

3. Legal Conflict with Title Restrictions – The current “Title Restrictions” for Pavilion Park do not allow any commercial building (such as a rental home), or any commercial enterprise to be transacted on any tract. These were put into effect and recorded with the re-platting in 1985, and are renewed every 10 years. The next renewal period will be in June 2025. Similar restrictions exist for the Blanco Bend community that is adjacent to our property. The Vacation Rental Ordinance makes it clear that vacation rentals are treated as a business, and taxed as such, which is specifically prohibited by our title restrictions.
4. Property Value – We believe that our property value will be adversely affected should their property be re-zoned to allow vacation rentals. We are making a significant investment in building a permanent home in Wimberley, and do not want our investment to be compromised.
5. Potential for Abuse – We have observed how the New Braunfels community has suffered by allowing the commercial use of property and rental homes along the Guadalupe River. During certain times of the year along the Guadalupe, the noise, trash and abuse of alcohol consumption/drug use make the river an unattractive environment. We believe the potential for this type of abuse is present with rental properties. Mr. Culleton lives in Austin, and will be an absentee landlord. We have reviewed the amendments to the Vacation Rental ordinance, and note there is a requirement to provide a local contact that is responsible to answer any issues that arise within 30 minutes. Beyond that our only recourse would be to call the police should there be unruly renters.
6. Limited Protection – We are concerned that there are few protections other than “calling the police” for such things as outside noise, lights, or other disturbances that occur before 8:00am or after 10:00pm. The process to report violations and terminate the “Vacation Rental Conditional Use Permit” is potentially lengthy and time consuming. We find this exposure and risk unacceptable, as it directly impacts our ability to enjoy the peaceful nature of the environment on this part of the Blanco River.

For all of the reasons stated above, we respectfully ask the City and the Council to deny the request of Mr. Culleton to have the property at 400 CR1492 re-zoned to accommodate vacation rentals. Thank you for your assistance in this matter. Please let us know if there is any other information that we can provide.

Sincerely,

Chris Sharp and V. Claire Roberts
Landowners
400 B CR1492
Wimberley, TX 78676

Sandy Floyd

From: Dale Cudd [REDACTED]
Sent: Monday, March 19, 2018 11:57 AM
To: Sandy Floyd
Subject: 400 County Rd 1492 (File No. CUP-18-005)

Importance: High

Good Afternoon Ms. Floyd,

My name is Dale Cudd and my family and I live at 100 W. Blanco Bend Dr., Wimberley. We received a notice of Public Hearing regarding the operation of a Vacation Rental located at 400 County Rd 1492. I strongly oppose this and wanted to express this in writing. We live in a quiet neighborhood and want to keep it that way. We are full time residence and retired. We moved here to enjoy the peace and quiet that Wimberley has to offer on the River. We do not want this taken away from us. Please let me know if I need to oppose this in person.

Thank you for your time.

Sincerely,
Dale Cudd and Erin Cudd
[REDACTED]

Sent from [Outlook](#)

Sandy Floyd

From: Edward Watkins III [REDACTED]
Sent: Tuesday, March 20, 2018 4:40 PM
To: Sandy Floyd
Subject: Current CUP Request

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Sandy:

Per the below map and notice to property owners within 200 feet of the CUP request, please accept our formal protest to this request based on security issues and privacy issues as well as current neighborhood restrictions in place. Sending this on behalf on Property ownership of 112 W Blanco Bend

112 W Blanco Bend as it a little more then 200 feet of request still concerned of having the

property as a rental.

Thank you

Edward Watkins

Sandy Floyd

From: Meghan Watkins [REDACTED]
Sent: Sunday, March 18, 2018 10:05 PM
To: Sandy Floyd
Subject: Current CUP Request

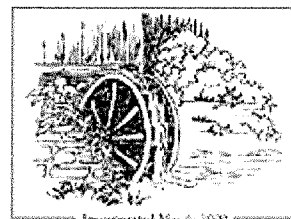
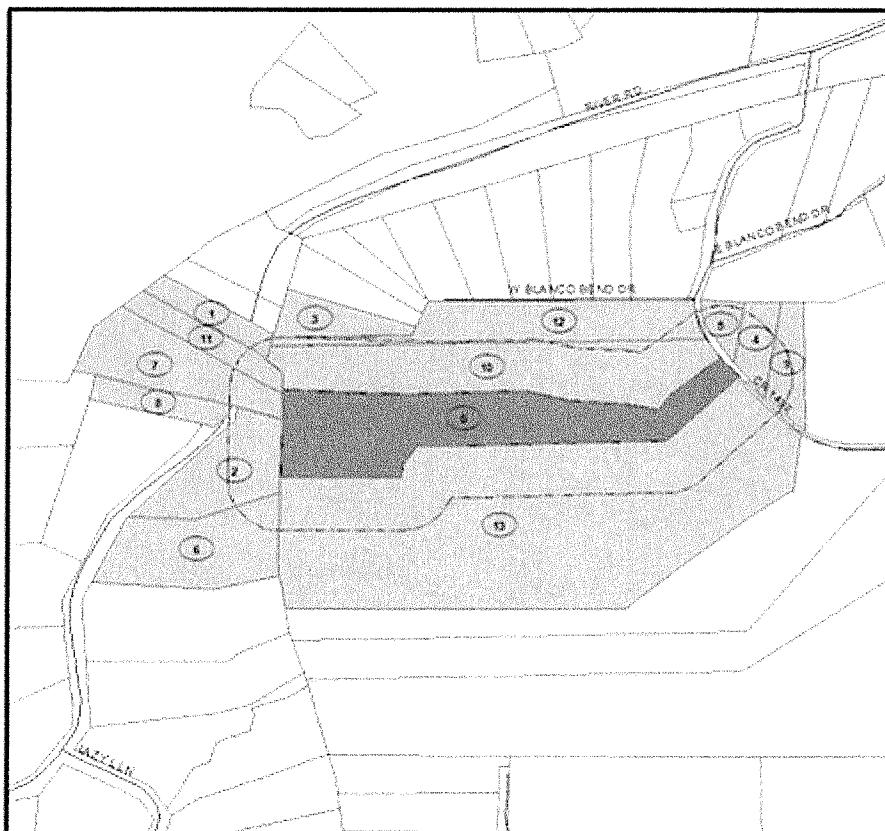
Dear Sandy:

Per the below map and notice to property owners within 200 feet of the CUP request, please accept our formal protest to this request based on security issues and privacy issues as well as current neighborhood restrictions in place.

Please let me know if I need to write a more formal letter or if this email is sufficient.

Thank you-
Meghan Rebecca Watkins
111 W Blanco Bend Drive

CUP-18-005 ~ 400 CR 1492



200' NOTIFICATION

Legend	
[Light Gray Box]	200' NOTICE BUFFER
ADJ. OWNER	
[Dark Gray Box]	0000 CULLETON, RICHARD-SUBJECT TRACT
[Patterned Box]	0001 BOOTH BROTHERS PAVING CO INC
[Patterned Box]	0002 COCO, TARA O
[Patterned Box]	0003 CUDD, DALE & ERIN
[Patterned Box]	0004 FERRAR, ROBERT BRIAN
[Patterned Box]	0005 FERRAR, ROBERT BRIAN
[Patterned Box]	0006 GRINSTEAD, STEVIS & MARLEEN WOOD
[Patterned Box]	0007 JOHNSON, CARL & SHEILA
[Patterned Box]	0008 JOHNSON, CARL & SHEILA
[Patterned Box]	0009 SELL, PHILLIP & TRACIE
[Patterned Box]	0010 SHARP, CHRIS S & V. CLARE ROBERTS
[Patterned Box]	0011 SPEARS, DAMON & KELLY
[Patterned Box]	0012 WATKINS, EDWARD III & REBECCA
[Patterned Box]	0013 WIMBERLEY SHADE RANCH LLC



Sandra Floyd

From: Brian Ferrar (bferrar) [REDACTED]
Sent: Monday, April 2, 2018 5:19 PM
To: Sandra Floyd
Subject: Opposition to Zoning Request - File # CUP-18-005

Dear Ms. Floyd & the Zoning Committee,

Thank you for the information this morning. I own both 303 and 305 CR1492, directly across the street from the property which has filed for a permit to be a vacation rental.

I am writing to express my OPPOSITION to their request, # CUP-18-005.

After two years of searching around Wimberley, I purchased my home in this location because of the peacefulness and tranquility our unique neighborhood offers. The lower 1492/Blanco Bend area is a tight knit group; we enjoy a tangible cohesiveness hard earned through neighborhood flood loss and recovery, and now highly valued in our little section of town. But recently I've witnessed strangers and unknown vehicles coming and going on the property in question with increased frequency, and I certainly do not wish to see this surprising new activity continue, or potentially become more frequent and disruptive.

Ours is a *residential* neighborhood and should not be used for commercial purposes. In addition to opposing the transient traffic and increased noise a vacation rental will inevitably bring, I fear the precedent this sets for our neighborhood if this zoning change is approved. If the property across the street becomes a vacation rental, where will it stop? What prevents me from doing the same with 305 CR1492? What prevents others from also turning their homes into vacation rentals? Then how do we maintain the quiet residential nature of this historic country road?

Finally, if the answer to my concern about precedent is that a zoning change would only apply to the property across the street, then this amounts to "zoning for one" which we already debated and dismissed when 7A requested a zoning change. Council agreed then that "zoning for one" is unfair and cannot be allowed.

Wimberley is Wimberley precisely because we have carefully considered every proposal for additional commercialization and maintained tight control over non-residential growth, which would almost certainly alter the unique characteristics of our community. And isn't that why we all moved here in the first place?

Thank you for kindly considering my concern as one of the homeowners directly adjacent to the property requesting a zoning change.

Sincerely,

Robert Brian Ferrar

303/305 CR1492, Wimberley, TX 78676
[REDACTED]

Sandy Floyd

From: [REDACTED]
Sent: Thursday, March 29, 2018 10:02 AM
To: Sandra Floyd; [REDACTED]
Cc: Watkins (M); Watkins (E); Erin Cudd
Subject: Regarding CUP-18-0H 1492 Property - OBJECTION
Attachments: Blanco Bend 2016 DEED RESTRICTIONS as Recorded.pdf

Hi Sandy and Claire,

As a neighbor, 3 doors down from the Applicant for this CUP for a Short Term Rental, we object to this being a Short Term Rental.

The way our properties are set up - we are at the end of a Cul de Sac on West Blanco Bend that borders Claire Robert's property, she has a long driveway, private gate on 1492, that she shares and pays for with the Applicant. Her long driveway parallels our West Blanco Bend Drive and our properties. Most of our homes are "second" homes and vacant most of the time, making it uncomfortable having unknown visitors and strangers renting a "large" property with many guests.

Our Deed Restrictions have been updated to reflect absolutely no Short Term Rentals. I believe Claire and her neighbor/Applicant have Deed Restrictions that state similarly.

Blanco Bend Club Inc. Deed Restrictions, attached, that include our West and East Blanco Bend Drive also include many properties on Shade Road that border the other side of the Applicant's property.

Thanks for giving attention to NOT granting this Permit.

Sincerely Judy and Jim Thompson
104 West Blanco Bend
[REDACTED]



Virus-free. www.avast.com

Sandra Floyd

From: stan starrett [REDACTED]
Sent: Wednesday, April 4, 2018 9:40 AM
To: Sandra Floyd
Subject: Opposed to the change in zoning: File #CUP-18-005

Dear Ms. Floyd,

We would respectfully request that no change in zoning be granted to the subject applicant.

While our neighborhood is just finally adjusting to the horrific May, 2015 flood, this application is simply not acceptable to us.

The subject property has always been used specifically for single family living. The applicants had to know that fact, and to think that they can come into our area and change the texture of our neighborhood for what has been the norm for our past 20 years here is terribly upsetting.

If the applicant wish to be in the rental business, they should have never have bought the subject property.

It is that simple.

Please share this email with the members of the planning and zoning committee and the members of the city council.

Respectfully,

stan starrett

Sandra Floyd

From: Robert Harla [REDACTED]
Sent: Wednesday, April 4, 2018 7:52 AM
To: Sandra Floyd
Subject: Opposition to zoning change request, #CUP-18-005

April 4, 2018

Dear Ms. Floyd and Zoning Committee,

I am writing to express my OPPOSITION to zoning change request, #CUP-18-005.

Although we do not live within 300 feet of the requesting property, we live adjacent to our neighbors, Diane and Jerry Lunow, and one lot away from Brian Ferrar, at 303 and 305 CR1492. We live at 111 CR1492, at the river and down the hill from the requesting property.

Coming up on three years after the flood, homes have been restored, and friendships continue to grow. We enjoy the peace and beauty of our neighborhood.

Lately, we have seen an uptick in unfamiliar off-road vehicles going up and down 1492 to the river, ignoring NO PARKING signs and parking with no concern for traffic conditions on the one-lane, blind curve, river crossing. I have personally walked down and told people they couldn't park there.

Additionally, there have been people in the four-wheelers coming down the hill and trespassing on our property with no regard for the NO TRESPASSING signs. I am concerned that these weekend visitors have come from that property, and that the owner is not informing the guests of the unique environment and their part in preserving it and leaving it as they found it.

We are grateful that Wimberley carefully considers proposals for non-residential growth and listens to the voices of the citizens.

Thank you for allowing me to express my opposition to the zoning request. Although we don't live directly adjacent to the property, we will certainly feel the impact of allowing this vacation rental.

Sincerely,

S. Robert and Alison B. Harla
111 County Road 1492
Wimberley, Texas 78676
[REDACTED]

Sandra Floyd

From: [REDACTED]
Sent: Wednesday, April 4, 2018 12:12 PM
To: [REDACTED] Sandra Floyd
Subject: Re: Opposition to Zoning Request - File # CUP-18-005

Brian Ferrar, Bob & Alison Harla, Ms. Floyd & the Zoning Committee:

I think I understand why you *might* be opposed to having rentals close. However, they are already here. And, you surly know that the Shade Ranch is also rented out, frequently. No one from there has ever caused any problems.

I also know several other people who "rent out" that are close to us and we have had no trouble, of any kind, from any of them.

Occasionally, 7 A ranch gets to loud, to late. Wimberley has a sound ordnance that handles that.

I really do not see this as "Zoning for One." any more then allowing someone to have a home, garage apartment and a shop on their property.

So, I believe that there are to many things worth fighting over. Things going on in the world. Maybe if we were all a little more tolerant that would help.

We will **NOT** Oppose and if they become trouble, Wimberley already has rules that will take care of it. handle that.

Sincerely,

Diane & Jerry Lunow
585 County Road 1492
Wimberley, Texas 78676

Sandra Floyd

From: cathy nebeker <[REDACTED]>
Sent: Thursday, April 12, 2018 2:27 PM
To: Sandra Floyd
Subject: Protest Regarding CUP-18-005/ 400 CR1492

Dear Ms Floyd,

My husband and I would like to submit a protest regarding the proposed re-zoning of 400 CR1492 to allow rental of the property as a vacation home.

Our Blanco Bend neighborhood HOA has expressed opposition to these rentals in the past and will continue to do so. Allowing un-vetted people into the small confines of the neighborhood could well disrupt the peace and quiet which is why we invested in our properties. The number of people and cars, not to mention whatever activities the renters have on the agenda could well be uncertain.

Our address is 490 Blanco Bend. Phone number [REDACTED]
Thanks very much,

Gil and Cathy Nebeker

ORDINANCE NO. 2018-xx

AN ORDINANCE APPROVING AN APPLICATION FOR A CONDITIONAL USE PERMIT SUBMITTED BY RICHARD CULLETON TO PERMIT THE OPERATION OF A VACATION RENTAL ON PROPERTY LOCATED AT 400 COUNTY ROAD 1492, WIMBERLEY, TEXAS, ZONED RESIDENTIAL ACREAGE (RA); AND PROVIDING FOR FINDINGS OF FACT; AMENDMENT OF THE ZONING DISTRICT MAP; REPEALER; SEVERABILITY; EFFECTIVE DATE; PROPER NOTICE AND MEETING; AND PROVIDING FOR CERTAIN CONDITIONS.

WHEREAS, an application for a Conditional Use Permit has been filed by Richard Culleton (“Applicant”) requesting authorization to operate a vacation rental on real property described as 8.11 acres out of Lot 2, Pavilion Park, zoned Residential Acreage (RA); and

WHEREAS, a vacation rental is an authorized use in areas zoned Residential Acreage (RA) upon approval of a Conditional Use Permit;

WHEREAS, after conducting a public hearing on the matter, the Planning and Zoning Commission recommended approval of the CUP application; and

WHEREAS, Applicant has submitted a Conditional Use Permit Application and other necessary information, and has complied with the requirements of the City of Wimberley Zoning Ordinance; and

WHEREAS, the Planning and Zoning Commission and City Council have conducted public hearings on the application for a Conditional Use Permit wherein public comment was received and considered on the application; and

WHEREAS, the City Council finds that the use of the subject property as a vacation rental facility, subject to the conditions imposed by this Ordinance, is an appropriate use for the property and is a compatible use with the surrounding properties and neighborhoods.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WIMBERLEY, HAYS COUNTY, TEXAS:

ARTICLE I. FINDINGS OF FACT

All of the above premises are hereby found to be true and correct legislative and factual findings of the City of Wimberley and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

ARTICLE II. APPROVAL - TERMS AND CONDITIONS

The CITY COUNCIL HEREBY GRANTS the Application for a Conditional Use Permit submitted by Richard Culleton (“Applicant”) for use as a vacation rental on real property, described as 8.11 acres out of Lot 2, Pavilion Park, as more particularly described by metes and bounds in Exhibit “A”, attached and incorporated by reference, zoned Residential Acreage (RA), Wimberley, Hays County, Texas, subject to the following terms and conditions:

City of Wimberley, Texas

1. No organized outside activities shall be allowed on the property after 10 p.m.
2. No guests, other than paying guests, shall be allowed on the property at any time, unless approved in advanced, in writing, by the owner or their agent.
3. The grounds outside the residence shall remain free of litter and trash at all times.
4. A fire escape plan, identifying fire exits shall be developed and graphically displayed in each guest room.
5. One (1) smoke alarm shall be provided in each guest room, along with a fire extinguisher visible and accessible to guests.
6. A valid taxpayer number for reporting any Texas/City tax shall be provided to the City along with a copy of the completed City of Wimberley/State of Texas Hotel Occupancy Tax Questionnaire, no later than thirty (30) days of such change.
7. The City shall be notified of any change in ownership of the subject property within thirty (30) days of such change.
8. A copy of the requirements set forth in the CUP shall be made available to all guests.
9. The subject property owner shall provide the City and property owners within two hundred (200) feet of the subject property, with the current names and contact information (including telephone numbers and e-mail address) for the local responsible party for the subject property. The local contact shall be able to respond to any incident within thirty (30) minutes of a call and shall be authorized to make decisions regarding tenants at the property. If the name or contact information for the local contact changes, then the property owners shall notify the City and property owners within two hundred (200) feet of the subject property, with the current name and contact information.
10. Unruly gatherings are prohibited. Unruly gathering means a gathering of more than one (1) person which is conducted on premises within the City and which, by reason of the conduct of those persons in attendance, results in the occurrence of one (1) or more of the following conditions or events on public or private property: the destruction of property; obstruction of roadways, driveways, or public ways by crowds or vehicles; excessive noise; disturbances, brawls, fights or quarrels; public urination or defecation; or indecent or obscene conduct or exposure.
11. The property shall be subject to inspection at any time by designated City representatives if compliance is in question, with proper notice provided if feasible.
12. The CUP shall terminate and be considered abandoned if and when there is evidence of no rental activity, based in part of the State/City Hotel Occupancy Tax Reports, for a period of nine (9) months. The burden shall be on the property owner to prove that use of the property has been in continuous use.

13. A property address sign is required and shall be installed on the property no more than ten (10) feet from the street, with the address numbers at least four (4) inches high and two (2) inches wide.
14. One (1) freestanding business sign shall be allowed, but not required, on the property. Such sign shall not exceed four (4) square feet in area and shall be of traditional Hill Country design and color.
15. The maximum occupancy for the property shall be five (5) people.
16. The owner of the property or the owner's agent shall not advertise a maximum occupancy for the vacation rental that is greater than the maximum occupancy established by the City based on septic capacity.
17. The owner of the property or the owner's agent, which may be a vacation rental agency, shall provide each renter a property map for the vacation rental property that shows the boundaries of the property and advises that trespassing on adjacent property is prohibited.
18. Should an operating permit for vacation rental facilities be established by the City in the future, the owner of the subject property shall comply with any and all applicable operating permit requirements that may be established by the City.

ARTICLE III. ZONING DISTRICT MAP

The official Zoning District Map shall be revised to reflect the Conditional Use Permit established by this Ordinance.

ARTICLE IV. REPEALER

All ordinances or parts of ordinances in force when the provisions of this Ordinance become effective which are inconsistent or in conflict with the terms and provisions contained in this Ordinance are hereby repealed, but only to the extent of any such conflict.

ARTICLE V. SEVERABILITY

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this Ordinance be severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality or unenforceability shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance, and the remainder of this Ordinance shall be enforced as written.

ARTICLE VI. EFFECTIVE DATE

This ordinance shall take effect immediately from and after its passage and publication as may be required by governing law.

ARTICLE VII. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code, and the Standard Zoning Enabling Act, Chapter 211 of the Texas Local Government Code. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

PASSED AND APPROVED by the City of Wimberley City Council on the 19th day of April, 2018 by a vote of (Ayes) and (Nays) and (Abstain).

CITY OF WIMBERLEY

By: _____
Herschel "Mac" McCullough, Mayor

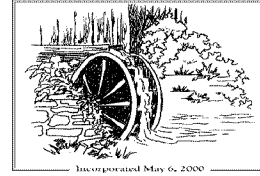
ATTEST:

Laura Calcote, City Secretary

APPROVED AS TO FORM:

City Attorney

Report for CUP-18-006



Summary:

An application for a Conditional Use Permit to allow for the operation of a Liquor Store at 111 Old Kyle Rd, Ste. 310

Applicant Information:

Applicant: Mad Rooster's
8600 FM 150
Driftwood, TX 78676

Property Owner: The Lumberyard SB1

Subject Property:

Legal Description: 0.9152 acres out of the Amasa Turner Survey, Abs. 461
Location: 111 Old Kyle Rd, Ste. 310
Existing Use of Property: Commercial
Existing Zoning: Commercial-High Impact (C-3)
Proposed Use of Property: Liquor Store
Proposed Zoning: CUP
Planning Area: V
Overlay District: Village Center; Protected Waterway

Surroundings:

Frontage On: Old Kyle Road

Area Zoning and Land Use Pattern:

	Current Zoning	Existing Land Use
N of Property	PR1	Public
S of Property	C1, C2, C3	Commercial
E of Property	PR1	Public
W of Property	C1	Commercial

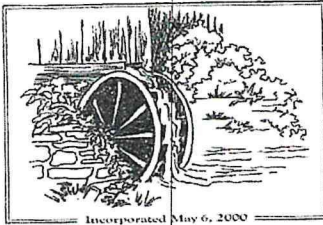
Legal Notice

200' Letters: 3/16/2018
Published: 3/22/2018
Sign Placement: 3/23/2018
Responses: None to date

Comments:

The applicant, Mad Rooster's, has requested a Conditional Use Permit (CUP) for the operation of a liquor store for property located at 111 Old Kyle Rd, Ste. 310. Liquor stores are allowed within the Village Center Overlay on properties zoned Commercial-High Impact (C-3) if a Conditional Use Permit is obtained. The parameters for allowance of a liquor store in the Village Center Overlay stipulate a maximum total area of 1,700 square feet and a maximum showroom area of 1,300 square feet. The applicant proposes a maximum total area of 1,200 square feet and a maximum showroom area of 1,160 square feet. City staff has not received responses for or against. Staff recommends approval.

On April 12th the Planning and Zoning Commission voted 6-0-0 to recommend approval of the application



City of Wimberley

221 Stillwater Drive, P.O. Box 2027, Wimberley, TX 78676

Phone (512) 847-0025 Fax (512) 847-0422

www.cityofwimberley.com

CONDITIONAL USE PERMIT APPLICATION

OFFICE USE	CUP <u>18 - 006</u>	Date: <u>2-20-2018</u>	Staff Review <u>Sandy I. Floyd</u>
P&Z Hearing:	<u>4-12-18</u>	Council Hearing: <u>4-19-18</u>	Fees Paid: ☒ Application ☒ Public Notice

Applicant:	<u>Mad Rooster's</u>		
Mailing address:	<u>8600 FM 150</u>	City: <u>Driftwood</u>	State: <u>TX</u> Zip: <u>78676</u>
Phone:	<u>[REDACTED]</u>	Email:	<u>[REDACTED]</u>
Property Owner:	<u>Buck Baccus</u>		
Mailing address:	<u>9606 N. Mopac, suite 125</u>	City: <u>Austin</u>	State: <u>TX</u> Zip: <u>78759</u>
Phone:	<u>[REDACTED]</u>	Email:	<u>[REDACTED]</u>

STE. 310

Project Site Address:	<u>111 Old Kyle Road, Wimberley, Texas 78676</u>		
Legal description:	<u>A0461 AMASA TURNER SURVEY, TRACT 1 & 2, ACRES 0.9152</u>		
Total Acreage or Square Footage:	<u>1200 sq ft.</u>	Deed recorded in:	
Hays CAD Parcel ID R	<u>R18409</u>	Planning Area:	<u>C-3</u>
Is property located in an overlay district?	☒ Yes ☐ No If Yes, type: <u>downtown overlay</u>		
Specific Conditional Use Requested:	<u>Liquor Store</u>		
Applicant understands that the purpose of the Conditional Use Permit (CUP) process is to allow certain uses which are not specific; permitted uses within a zoning district. To be considered for a CUP, the requested use must be listed under "Conditional Uses" within the applicable zoning district.			

Utilities	
Electric Provider: <u>PEC</u>	
Water provider or Private Well: <u>Wimberley Water</u>	
Wastewater Service or Septic Permit No. _____	
*If you have an On-Site Sewage Facility (OSSF) you can submit an open records request for your permit information if you do not have it.	

MY REQUEST IS BASED ON THE FOLLOWING:

- ☐ The use is harmonious and compatible with surrounding existing uses or proposed uses, and does not adversely affect an adjoining site than would a permitted use;
- ☐ The use requested by the applicant is set forth as a conditional use in the base district;
- ☐ The nature of the use is reasonable;
- ☐ The conditional use does not adversely affect the safety or convenience of vehicular or pedestrian circulation, including reasonably anticipated traffic and uses in the area;
- ☐ The conditional use does not adversely affect an adjacent property by its resulting traffic through the location, or its lighting, or its type of sign; and
- ☐ That any additional conditions specified, if any, ensure that the intent and purposes of the base district are being upheld.

ADDITIONAL REQUIREMENTS/DOCUMENTATION

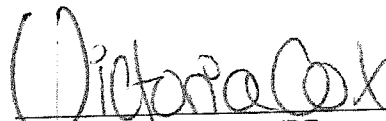
- ☐ Metes and bounds description and/or a survey (i.e., drawing) exhibit showing the property for which the CUP is being requested.
- ☐ Site Plan drawn to scale and showing the general arrangement of the project, together with essential requirements such as off-street parking facilities; size height, construction materials, and locations of buildings and the uses to be permitted; location and construction of signs; means of ingress and egress to public streets; the type of visual screening such as walls, plantings and fences; and the relationship of the intended use to all existing properties and land uses in all directions to a minimum distance of two hundred feet (200').
- ☐ List of Special Conditions that Applicant agrees apply to property.
- ☐ Payment of Application fee \$400.00 (non-refundable)
- ☐ Applicant agrees to attend public hearings before the P&Z Commission as well as the City Council concerning this application; or waives his/her right to appear, understanding that if questions are raised that cannot be answered, the matter may be continued, or denied.
- ☐ Applicant has checked the subdivision plat notes, deed restrictions, restrictive covenants and/or zoning actions to ensure that there are no restrictions on the subject property and applicant understands that the City zoning action does not relieve any obligation of these restrictions.
- ☐ Applicant agrees to provide additional documentation as needed by the City.
- ☐ Applicant understands that City review of this Application is dependent upon the accuracy of the information provided and that any inaccurate or inadequate information provided may delay the review of the Application. Applicant, by his/her signature below, certifies that to the best of his/her knowledge said information is complete and correct.
- ☐ Applicant hereby authorizes the City representatives to visit and inspect the subject property.

02/28/2018

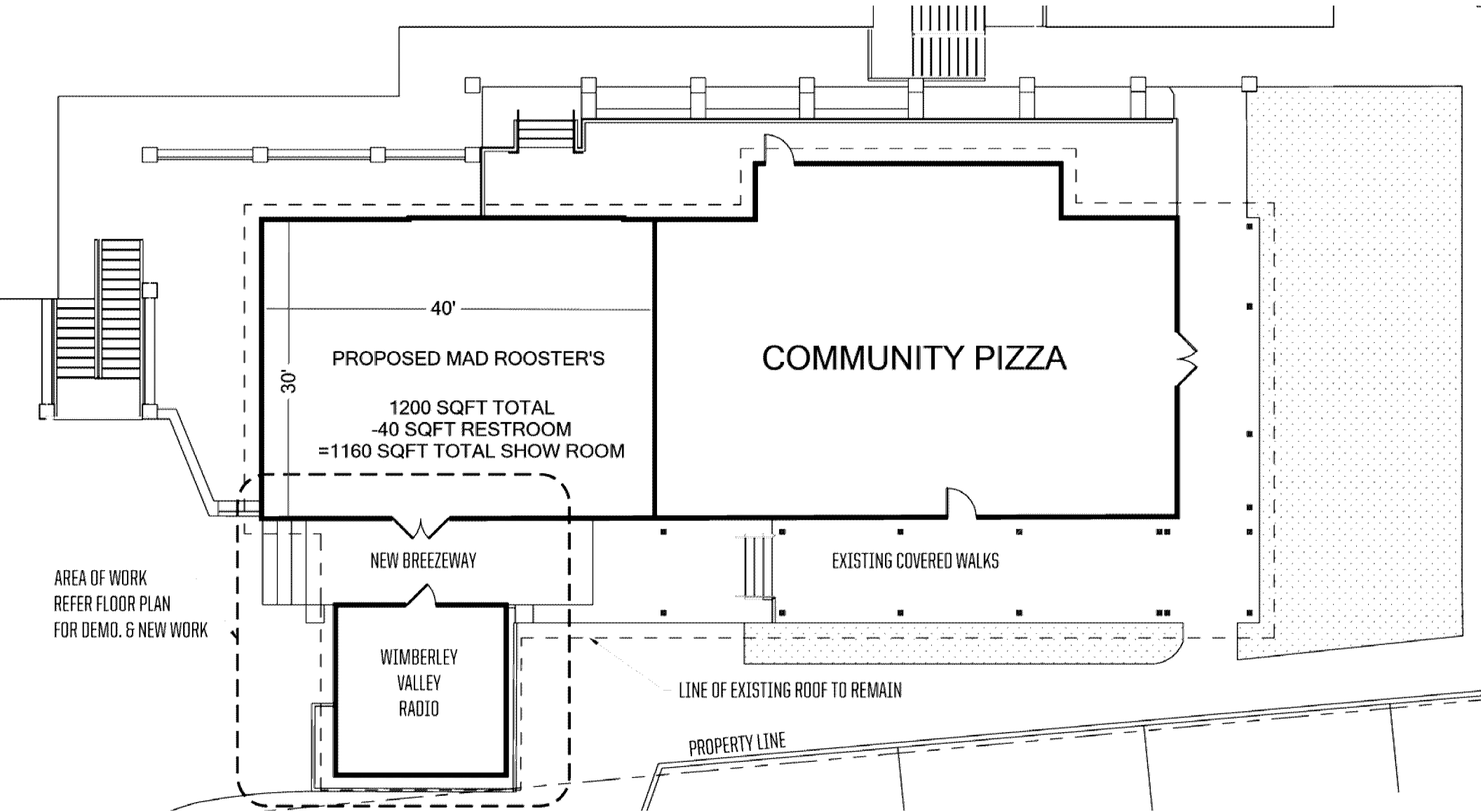
DATE

WHEN APPLICABLE:

Date


APPLICANT SIGNATURE

AGENT SIGNATURE



Ordinance No. 2018-07

“Sale of Alcohol in VC -Village Center Overlay District”

AN ORDINANCE OF THE CITY OF WIMBERLEY, TEXAS, AMENDING TITLE XV (LAND USAGE), CHAPTER 155 (ZONING), SECTION 155.091 (VILLAGE CENTER OVERLAY DISTRICT; VC) OF THE CITY OF WIMBERLEY CODE OF ORDINANCES TO PERMIT LIQUOR STORES WITH A MAXIMUM TOTAL AREA OF 1,700 SQUARE FEET AND A MAXIMUM SHOWROOM AREA OF 1,300 SQUARE FEET; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT, SAVINGS, SEVERABILITY, REPEALER, EFFECTIVE DATE, AND PROPER NOTICE AND MEETING.

WHEREAS, the City Council of the City of Wimberley (“City Council”) seeks to provide for the orderly arrangement and regulation of compatible uses within its corporate limits; and

WHEREAS, on May 9, 2009, a majority of the voters of Hays County voted to allow the public to purchase alcohol in stores and to purchase and consume alcoholic drinks at restaurants and bars in Justice of the Peace Precinct Three of Hays County; and

WHEREAS, amendments to the City’s Zoning Code are necessary to allow certain sales of alcoholic beverages in order to permit such uses in the City’s various zoning districts; and

WHEREAS, in the course of reviewing the proposed amendments detailed in this Ordinance, the Planning and Zoning Commission and City Council have given careful consideration to the unique qualities of the City, including the demographics of its inhabitants, the City’s history, geography, natural resources, existing structures, property values, workforce, education levels, commercial base, surrounding communities, public facilities, and infrastructure, and

WHEREAS, the Planning and Zoning Commission and City Council have considered, among other things, the character of each zoning district and its peculiar suitability for the particular uses, with a view toward conserving property values and encouraging the most appropriate use of land in the City; and

WHEREAS, the Council finds that the proposed amendment will lessen restrictions and will not impose additional restrictions on certain persons holding a state-issued alcohol license or permit, as permitted by section 109.57(c) of the Texas Alcoholic Beverages Code; and

WHEREAS, the regulations established by this Ordinance are in furtherance of the public interest, for the good government, peace, order, trade, and commerce of the City and necessary and proper for carrying out the power granted by law to the City; and

WHEREAS, the following enactments are a valid exercise of the City’s broad police powers and based on the City’s statutory regulatory authority, including, but not limited to, Texas Local Government Code Chapters 51, 52, and 211; and

WHEREAS, the City Council finds that the provisions of this Ordinance will serve to promote the public health, safety, morals, and general welfare; and

WHEREAS, parties in interest and citizens have had an opportunity to be heard at public hearings conducted by the Planning and Zoning Commission and City Council, notice of which was published in the City’s official newspaper before the 15th day before the first public hearing, and agendas for each hearing were posted at City Hall more than seventy-two (72) hours prior to the respective hearings;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WIMBERLEY, TEXAS:

SECTION I. FINDINGS OF FACT

All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council and are hereby approved and incorporated into the body of this Article as if copied in their entirety.

SECTION II. AMENDMENT

- A. The City of Wimberley Code of Ordinances, Title XV (Land Usage), Chapter 155 (Zoning), Section 155.005 (Definitions), is hereby amended to add the following definition:

“**SHOWROOM.** The portion of a retail establishment to which the public has access and that provides area for the regular transaction of business, including the presentation of displayed merchandise in a finished building setting.”

- B. The City of Wimberley Code of Ordinances, Title XV (Land Usage), Chapter 155 (Zoning), Section 155.091 (Village Center Overlay District; VC), Subsection E (Prohibited Uses), is hereby amended to read as follows:

“(11) Liquor Stores, excluding establishments that have both (a) a maximum total area of 1,700 square feet; and (b) a maximum showroom area of 1,300 square feet.”

SECTION III. SAVINGS

The repeal of any ordinance or part of ordinances effectuated by the enactment of this Article shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or

as affecting any rights of the City under any section or provisions of any ordinances at the time of passage of this Article.

SECTION IV. SEVERABILITY

Should any sentence, paragraph, subdivision, clause, phrase, or section of this Article be adjusted or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this Article in whole or any part or provision thereof, other than the part so declared to be invalid, illegal or unconstitutional.

SECTION V. REPEALER

The provisions of this Article shall be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances inconsistent or in conflict with any of the provisions of this Article are hereby expressly repealed to the extent that such inconsistency is apparent. This Article shall not be construed to require or allow any act that is prohibited by any other ordinance.

SECTION VI. EFFECTIVE DATE

This Article shall take effect immediately from and after its passage and publication as may be required by law.

SECTION VII. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Article was passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

PASSED AND APPROVED First Reading this 1st day of February, 2018, by a vote of 3 (Ayes) to 2 (Nays) 0 (Abstain) vote of the City Council of the City of Wimberley, Texas.

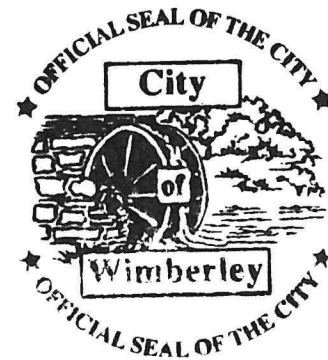
PASSED AND APPROVED Second Reading this 15th day of February, 2018, by a vote of 3 (Ayes) to 2 (Nays) 0 (Abstain) vote of the City Council of the City of Wimberley, Texas.



Hershel "Mac" McCullough,
Mayor

ATTEST:

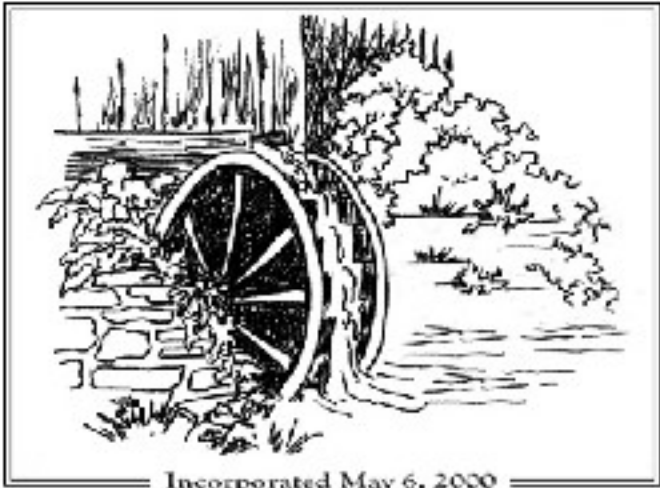
Laura J. Calcote
Laura Calcote,
City Secretary



[Signature]
City Attorney

[Signature]

CUP-18-006 ~ 111 OLD KYLE RD, STE. 310



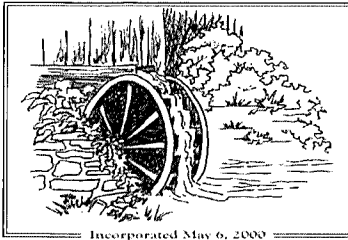
200' NOTIFICATION

Legend	
	200' NOTICE BUFFER
ID. OWNER	
	0. LUMBERYARD SB1 LLC-SUBJECT
	1. BACHERS, MICHAEL
	2. BILLINGSLEY, CLAIRE M
	3. CITY OF WIMBERLEY
	4. DOUBLE LC PARTNERS LTD
	5. DOUBLE LC PARTNERS ONE LTD
	6. DUGGAN, CHARLES HARMON LIVING TRUST
	7. HARRIS, JAMES MALCOLM TRUSTEE
	8. LUMBERYARD SB1 LLC
	9. MARTHA OLIVER
	10. PAVER ROBERT W & LAUREN N
	11. RAY BERT E & JULIE L
	12. SANDER ALBERT & JEAN
	13. SANDER ALBERT A & JEAN A
	14. TATE, JOYCE WEBB
	15. WHITE, PATRICIA CARO
	16. WIMBERLEY RR 12 LLC



0 100 200
Feet





City of Wimberley

221 Stillwater (P.O. Box 2027), Wimberley, Texas 78676
Phone: 512-847-0025 Fax: 512-847-0422 Web: cityofwimberley.com

March 16, 2018

NOTICE OF PUBLIC HEARING

Re: File No. CUP-18-006

111 Old Kyle Rd, Ste. 310

A request for a Conditional Use Permit (CUP) to allow the operation of a liquor store

Dear Property Owner:

You are receiving this letter because you own property within 200 feet of the above-referenced location.

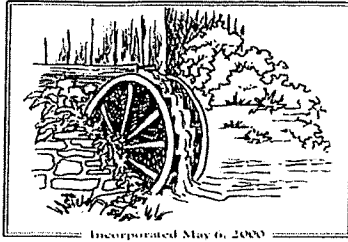
The applicant, Mad Rooster's, has requested a Conditional Use Permit (CUP) to allow a liquor store at 111 Old Kyle Road, Ste. 310. The current zoning for this property is Commercial-High Impact (C-3). The City of Wimberley Planning & Zoning Commission will consider this request at a public hearing on **Thursday, April 12, 2018, at 6:00 p.m.** in the Wimberley City Hall, 221 Stillwater. Upon a recommendation from the Commission, City Council will hold a public hearing to consider the same request on **Thursday, April 19, 2018, at 6:00 p.m.**

Because the granting of this request may affect your property, you are encouraged to participate in the zoning process. The public will be given an opportunity to speak during the hearing. If you wish to comment but are unable to attend, written comments may be submitted prior to the meeting.

Additional information regarding the proposed request is available for public review at City Hall during normal business hours. Should you have questions, please feel free to email or contact me at 512-847-0025.

Thank you,

Sandy I. Floyd
Planning & Development Coordinator
GIS Analyst
sfloyd@cityofwimberley.com



City of Wimberley

221 Stillwater, P.O. Box 2027, Wimberley, Texas, 78676

Phone: (512) 847-0025 – Fax: (512) 847-0422

www.cityofwimberley.com

NOTICE BY SIGN POSTING

Date: 03/20/2018

Zoning No: CUP-18-006

Owner _____

To: Code Enforcement/Public Works

Please place a Proposed Zoning Sign on the following property

() Project Site Address 111 Old Kyle Rd. Ste. 310

located on _____

Aaron Reed
Public Works/ Code Enforcement

Note: The above-referenced sign was placed on the subject property on

_____, 20____

Signature

**Proposed
Zoning
PUBLIC HEARING**
For information Contact
The City of Wimberley
(512) 847-0025
Please Refer to File Number...

CUP-18-006



Do Not Remove

03/23/2018

Hays County Development Service (512) 393-2150. Tracking number SUB-928.

PUBLIC NOTICE

THE STATE OF TEXAS

THE COUNTY OF HAYS

TO THOSE INDEBTED TO OR HOLDING CLAIMS AGAINST THE ESTATE OF SAMUEL ALEXANDER, DECEASED; HAYS COUNTY COURT AT LAW CAUSE NO. 18-0056-P

The undersigned Independent Executor of the Estate of Samuel Alexander Deceased, of Hays County, Texas, having been granted Letters Testamentary by the County Court of Hays County, Texas, in Probate Cause 18-0056-P, on the 12th day of March, 2018, hereby notifies all persons indebted to said Estate to make payment, and those having legal claims against said Estate to present them within the time prescribed by law at the address below. Dated the 13th day of March, 2018, Reggie Alexander, Independent Executor of the Estate of Samuel Alexander, Deceased, c/o MARILYN G. MILLER, Attorney at Law, P.O. Box 917, Dripping Springs, Texas 78620.

NOTICE OF PUBLIC HEARING (Request for Subdivision)

Notice is hereby given that the Planning & Zoning Commission of the City of Wimberley will hold a public hearing at the Wimberley City Hall on Thursday, April 12, 2018, at 6:00 p.m. to consider the following: S-17-010 - an application for a subdivision and an associated variance from Section 154.063(c) of the City Subdivision Code requiring lots to be rectangular in size and conform to the average depth to average width ratio on a 6.23 acre tract located at 371 Pinion Trail. Upon recommendation of the Planning & Zoning Commission, the City Council will also hold a public hearing on Thursday, April 19, 2018, at 6:00 p.m. at City Hall. Comments on this request from any member of the public may be presented in person at City Hall, by mail (PO Box 2027), or by email (sfloyd@cityofwimberley.com) prior to the hearing. The public will be granted an opportunity to speak at the hearings. Additional information concerning the proposed action is available for review at the Wimberley City Hall, 221 Stillwater, Wimberley, Texas.

NOTICE OF PUBLIC HEARING (Conditional Use Permit)

Notice is hereby given that the Planning & Zoning Commission of the City of Wimberley will hold a public hearing at the Wimberley City Hall on Thursday, April 12, 2018, at 6:00 p.m. to consider the following: CUP-18-006 - an application for a Conditional Use Permit (CUP) to allow the operation of a liquor store at 111 Old Kyle Rd., Ste. 310. Upon recommendation of the Planning & Zoning Commission, the City Council will also hold a public hearing on Thursday, April 19, 2018, at 6:00 p.m. at City Hall. Comments on this request from any member of the public may be presented in person at City Hall, by mail (PO Box 2027), or by email (sfloyd@cityofwimberley.com) prior to the hearing. The public will be granted an opportunity to speak at the hearings. Additional information concerning the proposed action is available for review at the Wimberley City Hall, 221 Stillwater, Wimberley, Texas.

NOTICE OF ENACTMENT OF ORDINANCE NO. 2018-11

An ordinance amending Chapter 50 (Sewers and Water), Section 50.63 (Connection to the Sewer System Required), of the Code of Ordinances of the City of Wimberley, Texas, in order to establish the requirements for mandatory connection to a public wastewater system; and providing for an effective date; proper notice and meeting, savings, severability and repealer.

NOTICE OF ENACTMENT OF ORDINANCE NO. 2018-02

An ordinance of the City of Wimberley, Texas, to increase the tax rate to be imposed on hotel occupancy within the corporate limits and extrajurisdictional jurisdiction.

NOTICE OF PUBLIC HEARING (Conditional Use Permit)

Notice is hereby given that the Planning & Zoning Commission of the City of Wimberley will hold a public hearing at the Wimberley City Hall on Thursday, April 12, 2018, at 6:00 p.m. to consider the following: CUP-18-005 - an application for a Conditional Use Permit (CUP) to allow the operation of a vacation rental at 400 CR 1492. Upon recommendation of the Planning & Zoning Commission, the City Council will also hold a public hearing on Thursday, April 19, 2018, at 6:00 p.m. at City Hall. Comments on this request from any member of the public may be presented in person at City Hall, by mail (PO Box 2027), or by email (sfloyd@cityofwimberley.com) prior to the hearing. The public will be granted an opportunity to speak at the hearings. Additional information concerning the proposed action is available for review at the Wimberley City Hall, 221 Stillwater, Wimberley, Texas.

FOR IMMEDIATE RELEASE

LEGAL SECTION

PUBLIC NOTICE

By order of the Hays County Commissioners Court, notice is hereby given that on March 20, 2018 at 9 a.m. in the Hays County Courthouse, 111 E. San Antonio Street, the Hays County Commissioners Court will hold a public hearing to consider:

Cleaves Acres, Unit Two, Lot 5 - Replat

NOTICE OF PUBLIC HEARING (Request for Zoning)

Notice is hereby given that the Planning & Zoning Commission of the City of Wimberley will hold a public hearing at the Wimberley City Hall on Thursday, April 12, 2018, at 6:00 p.m. to consider the following: ZA-18-002 - a request to change the zoning from Commercial-Moderate Impact (C-2) to Commercial-High Impact (C-3) for property located at 13900 RR 12. Upon recommendation of the Planning & Zoning Commission, the City Council will also hold a public hearing on Thursday, April 19, 2018, at 6:00 p.m. at City Hall. Comments on this request from any member of the public may be presented in person at City Hall, by mail (PO Box 2027), or by email (sfloyd@cityofwimberley.com) prior to the hearing. The public will be granted an opportunity to speak at the hearings. Additional information concerning the proposed action is available for review at the Wimberley City Hall, 221 Stillwater, Wimberley, Texas.

PUBLIC NOTICE

Application has been made with the Texas Alcoholic Beverage Commission for a Food and Beverage Certificate and a Wine and Beer Retailers Permit by Penny Henderson dba Oak Creek Cafe, to be located at 660 W Hwy 290, Dripping Springs, Hays County, Texas. Penny Henderson, Owner.

NOTICE OF PUBLIC HEARING (Conditional Use Permit)

Notice is hereby given that the Planning & Zoning Commission of the City of Wimberley will hold a public hearing at the Wimberley City Hall on Thursday, April 12, 2018, at 6:00 p.m. to consider the following: CUP-18-007 - an application for a Conditional Use Permit (CUP) to allow the operation of a vacation rental at 150 Dobie Dr. Upon recommendation of the Planning & Zoning Commission, the City Council will also hold a public hearing on Thursday, April 19, 2018, at 6:00 p.m. at City Hall. Comments on this request from any member of the public may be presented in person at City Hall, by mail (PO Box 2027), or by email (sfloyd@cityofwimberley.com) prior to the hearing. The public will be granted an opportunity to speak at the hearings. Additional information concerning the proposed action is available for review at the Wimberley City Hall, 221 Stillwater, Wimberley, Texas.

Earn more with Quality!

30 YEARS OF SERVICE

NANCY LEONA LLOYD LAMBERT DECEASED; HAYS COUNTY COURT AT LAW CAUSE NO. 18-0001-P

The undersigned Independent Executor of the Estate of NANCY LEONA LLOYD LAMBERT, Deceased, of Hays County, Texas, having been granted Letters Testamentary by the County Court of Hays County, Texas, in Probate Cause No. 18-0001-P, on the 12th day of March, 2018, hereby notifies all persons indebted to said Estate to make payment, and those having legal claims against said Estate to present them within the time prescribed by law at the address below. Dated this 14th day of March, 2018, Wanda Sue Lambert Frederick, Executor of the Estate of NANCY LEONA LLOYD LAMBERT, Deceased, c/o MARILYN G. MILLER, Attorney at Law, P.O. Box 917, Dripping Springs, Texas 78620.



Drivers

DRIVERS: LOCAL: Make \$225 Daily! Dedicated Out and Back - (San Antonio to Stephenville). Great Benefits & Equipment! CDL-A req. 417-962-2354 www.wdmilk.com

DRIVERS: LOCAL: Delivery Drivers Home EVERY Night! Excellent Pay, Benefits & Bonuses. CDL-A required. Available position - s/Apply@apply.labattfood.com



General Help Wanted

Deer Creek of Wimberley is hiring Full Time CNA Double Weekends (Shift Differential) Full Time CNA 2p-10p (Shift Differential) Please apply in person 555 Ranch Rd. 3237 Wimberley, TX. 78676

General Help Wanted

Hill Country MHDD Center HILL COUNTRY MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES CENTERS Children's Mental Health Recovery Coach Hill Country Mental Health and Developmental Disabilities seeking a Qualified Mental Health Professional for their Full-Time Recovery Coach Position. Candidate must possess a Bachelor's Degree in a Human Services Field. Mental Health / IDD Experience Preferred. \$16.34 per hour / \$34K Annual with Excellent Benefits. Apply online at www.hillcountry.org ***** Hill Country MHDD Centers is an EOE

General Help Wanted

Hill Country MHDD Center HILL COUNTRY MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES CENTERS Community Service Aide III Hill Country MHDD Centers now hiring Full & Part Time CSAs in their Hays Location - 1200 North Bishop St. San Marcos, TX. This is an excellent opportunity for recent graduating seniors OR jobseekers passionate about working

email Rebecca Manning at manning@cityofwimberley.com

IMMEDIATE HIRE For male and female caregivers in surrounding locations. Please contact hiring manager. 830.625.0444.

DELIVERY DRIVER needed. Part-time. Delivering cut flowers from our farm to grocery stores in the Austin and San Antonio area. Starting pay \$12/hour. Must have clean driving record, be punctual and neat. Contact Frank at 830-833-5428 or email wimberleyfarmwork@gmail.com



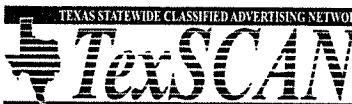
Free Items

AS IS Mobile Home/Deer Hunting Cabin Free for haul off- 210-313-4920

Garage Sales

ESTATE SALE Wimberley Owners lived years overseas so big

General Help Wanted



TexSCAN Week of March 18, 2018

ACREAGE

20.2 acres, Duval County, south Texas brush country. Deer, hogs, and quail. \$4,035 down, \$668/mo. (5.9% 30 years). Larger tracts available. 866-286-0199. www.texastxcountry.com.

AUCTION

Karnes City - Annual Long Live Cowboys Special Female Replacement Sale, Sat., March 24 at noon. 400+ females. Karnes City Auction, Inc. 830-623-2855, 1918 Hwy. 80, Karnes City, TX. www.karnescityauction.com.

ADOPTION

Happy couple wish to adopt - endless love, laughter and opportunity. Call or text anytime. Expenses Paid. Heather and Matt 732-397-3117.

CAREER TRAINING

Airline Mechanic Training - Get FAA certification. Approved for military benefits. Financial Aid if qualified. Job placement assistance. Call Aviation Institute of Maintenance, 800-473-4102.

FINANCE

Receiving payments from real estate you sold? Get cash now! Call Steve: 888-870-2243. www.SteveCashesNotes.com.

EVENT

Ingleisle - Round Up Days, March 23-24, N.O. Simons Park, Ingleisle, TX. Rides, games, food, live entertainment, \$6 Admission. Presented by Ingleisle Chamber of Commerce.

Texas Press Statewide Classified Network

Rd to Haschke to River Rapids watch for signs.

Misc. Merchandise

VINTAGE FLOWER Handmade vintage Totes and bags 512-660-1203



Homes For Sale

IN THE CITY OF WIMBERLEY a beautiful two story house for sale on 4 acres 3 bedrooms, 3 bath, open kitchen, den and playroom. Wrap around large porch, with outdoor kitchen, covered sitting area great for entertaining, 1 block from the Blanco River, One of the last huge horse barns in the city. Paved driveway, fenced completely for animals, great soil for planting no rocks. 430 Savage Lane. 512 557 6259 Wayne

ONE FREE Move

HOME FOR SALE: In Fischer a beautiful 2 bed 1.5 bath 1120 sq ft house on .83 acres. Contact Jessica at 830-992-1570.

General Help Wanted



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Texas Press Statewide Classified Network

ORDINANCE NO. 2018-XX

AN ORDINANCE APPROVING AN APPLICATION FOR A CONDITIONAL USE PERMIT SUBMITTED BY MAD ROOSTER'S TO PERMIT THE OPERATION OF A LIQUOR STORE ON PROPERTY LOCATED AT 111 OLD KYLE ROAD, SUITE 310, WIMBERLEY, TEXAS, ZONED COMMERCIAL-HIGH IMPACT (C-3); AND PROVIDING FOR FINDINGS OF FACT; AMENDMENT OF THE ZONING DISTRICT MAP; REPEALER; SEVERABILITY; EFFECTIVE DATE; PROPER NOTICE AND MEETING; AND PROVIDING FOR CERTAIN CONDITIONS.

WHEREAS, an application for a Conditional Use Permit has been filed by Mad Rooster's ("Applicant") requesting authorization to operate a liquor store on real property described as Tract 1 and Tract 2, 0.9152 acres out of the Amasa Turner Survey, Abstract 461, zoned Commercial-High Impact (C-3); and

WHEREAS, a liquor store is an authorized use in areas zoned Commercial-High Impact (C-3) upon approval of a Conditional Use Permit;

WHEREAS, after conducting a public hearing on the matter, the Planning and Zoning Commission recommended approval of the CUP application; and

WHEREAS, Applicant has submitted a Conditional Use Permit Application and other necessary information, and has complied with the requirements of the City of Wimberley Zoning Ordinance; and

WHEREAS, the Planning and Zoning Commission and City Council have conducted public hearings on the application for a Conditional Use Permit wherein public comment was received and considered on the application; and

WHEREAS, the City Council finds that the use of the subject property as a liquor store, subject to the conditions imposed by this Ordinance, is an appropriate use for the property and is a compatible use with the surrounding properties and neighborhoods.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WIMBERLEY, HAYS COUNTY, TEXAS:

ARTICLE I. FINDINGS OF FACT

All of the above premises are hereby found to be true and correct legislative and factual findings of the City of Wimberley and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

ARTICLE II. APPROVAL - TERMS AND CONDITIONS

The CITY COUNCIL HEREBY GRANTS the Application for a Conditional Use Permit submitted by Mad Rooster's ("Applicant") for use as a liquor store on real property, described as Tract 1 and Tract 2, 0.9152 acres out of the Amasa Turner Survey, Abstract 461, as more particularly described by metes and bounds in Exhibit "A", attached and incorporated by

City of Wimberley, Texas

reference, zoned Commercial-High Impact (C-3), Wimberley, Hays County, Texas, subject to the following terms and conditions:

1. Maximum total area of 1,700 square feet;
2. Maximum showroom area of 1,300 square feet.

ARTICLE III. ZONING DISTRICT MAP

The official Zoning District Map shall be revised to reflect the Conditional Use Permit established by this Ordinance.

ARTICLE IV. REPEALER

All ordinances or parts of ordinances in force when the provisions of this Ordinance become effective which are inconsistent or in conflict with the terms and provisions contained in this Ordinance are hereby repealed, but only to the extent of any such conflict.

ARTICLE V. SEVERABILITY

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this Ordinance be severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality or unenforceability shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance, and the remainder of this Ordinance shall be enforced as written.

ARTICLE VI. EFFECTIVE DATE

This ordinance shall take effect immediately from and after its passage and publication as may be required by governing law.

ARTICLE VII. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code, and the Standard Zoning Enabling Act, Chapter 211 of the Texas Local Government Code. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

PASSED AND APPROVED by the City of Wimberley City Council on the 19th day of April, 2018 by a vote of (Ayes) and (Nays) and (Abstain).

CITY OF WIMBERLEY

By: _____
Herschel "Mac" McCullough, Mayor

ATTEST:

Laura Calcote, City Secretary

APPROVED AS TO FORM:

City Attorney

FIELD NOTES

TRACT 1

A 0.4910 acre tract out of the Amasa Turner Survey No. 1, Abstract No. 461 in Hays County, Texas, being the same 0.50 acre tract conveyed to Joe Cliett Lumber Company in Volume 155, Page 470, Deed Records of Hays County, Texas, and being a part of that 0.55 acre tract conveyed to Della Debbas Garrett, in Volume 2138, Page 504, Official Public Records of Hays County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a "X" Cut In Rock Found, for the southwest corner of the said 0.50 acre tract, the said 0.55 acre tract and the herein described tract, said "X" Cut being the southeast corner of a called 0.47 acre tract conveyed to Les Crane in Document No. 9919042, Official Public Records of Hays County, Texas, and being in the north line of a 40 foot right-of-way of Deer Lake Road, also known as Old Kyle Road;

THENCE, leaving said Deer Lake Road with the east line of the said 0.47 acre tract and the west line of the said 0.50 acre tract, the 0.55 acre tract and the herein described tract N 11°10'23" W, a distance of 119.85 Feet to a 1/2 Inch Iron Rod Found for the northwest corner of the said 0.50 acre tract and the herein described tract, said iron rod being the southwest corner of a called 0.05 acre tract (Tract 3), conveyed to George Glen Garrett, et ux;

THENCE, leaving the said 0.47 acre tract with the south line of the said 0.05 acre tract and with the north line of the said 0.50 acre tract and the herein described tract N 82°44'03" E, a distance of 199.98 Feet to a Concrete Nail Found for the northeast corner of the 0.50 acre tract and the herein described tract, said Concrete Nail being in the east line of the said 0.55 acre tract and being the northwest corner of a called 0.42 acre tract, (Tract 2), conveyed to Della Debbas Garrett in Cause No. 02-1821, Hays County, Texas;

THENCE, leaving the said 0.05 acre tract with the west line of the said 0.42 acre tract and the east line of the said 0.50 acre tract, the 0.55 tract and the herein described tract S 10°56'05" E, a distance of 94.76 Feet to a 1/2 Inch Iron Rod Set for the southeast corner of the said 0.50 acre tract, the 0.55 acre tract and the herein described tract, said iron rod being the southwest corner of the said 0.42 acre tract and being in the north line of the said Deer Lake Road;

THENCE, leaving the said 0.42 acre tract, with the north line of the said Deer Lake Road and the south line of the said 0.50 acre tract, the 0.55 tract and the herein described tract S 75°31'53" W, a distance of 199.45 Feet to the POINT OF BEGINNING and containing 0.4910 acres of land, more or less.

TRACT 2

A 0.4242 acre tract out of the Amasa Turner Survey No. 1, Abstract No. 461 in Hays County, Texas, being the same 0.42 acre tract conveyed to Della Debbas Garrett, in Cause No. 02-1821, Hays County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 Inch Iron Rod Found for the northeast corner of the said 0.42 acre tract, said iron rod being in the south line of a called 7.19 acre tract conveyed to The Village of Wimberley in Volume 1929, Page 388 Official Public Records of Hays County, Texas and being also the northwest corner of a called 0.18 acre tract conveyed to Mary Kay McQuigg in Volume 1330, Page 839 Official Public Records of Hays County, Texas;

THENCE, leaving the said 7.19 acre tract with the west line of the said 0.18 acre tract and the east line of the said 0.42 acre tract and the herein described tract, S 13°02'11" E, a distance of 69.26 Feet to a Chain Link Fence Post Found for the southeast corner of the said 0.42 acre tract and the herein described tract, said fence post being the southwest corner of the said 0.18 acre tract and being in the north line of the 40 foot wide right-of-way of Deer Lake Road, also known as Old Kyle Road;

THENCE, leaving the said 0.18 acre tract with the north line of the said Deer Lake Road and the south line of the said 0.42 acre tract and the herein described tract, S 77°04'06" W, a distance of 223.19 Feet to a 1/2 Inch Iron Rod Set for the southwest corner of the said 0.42 acre tract and the herein described tract, said iron rod being the southeast corner of a called 0.50 acre tract, (Tract 1), conveyed to Joe Cliett Lumber Company in Volume 155, Page 470, Deed Records of Hays County, Texas, and a 0.55 acre tract, conveyed to Della Debbas Garrett, in Volume 2138, Page 504, Official Public Records of Hays County, Texas;

THENCE, leaving the said Deer Lake Road with the east line of the said 0.50 acre tract and the 0.55 acre tract and the west line of the said 0.42 acre tract and the herein described tract, N 10°56'05" W, a distance of 94.76 Feet to a Concrete Nail Found for the northeast corner of the said 0.50 acre tract, being also the northwest corner of the said 0.42 acre tract and the herein described tract, said concrete nail being in the south line of a called 0.05 acre tract (Tract 3), conveyed to George Glen Garrett, et ux;

THENCE, leaving the said 0.50 acre tract with the south line of the said 0.05 acre tract and the north line of the said 0.42 acre tract and the herein described tract, N 82°46'00" E, (Bearing Basis), passing at 8.14 feet a concrete nail found for the southeast corner of the said 0.05 acre tract being also in the south line of the said 7.19 acre tract, for a total distance of 168.13 Feet to a 1/2 Inch Iron Rod Found for an angle point, and N 86°31'49" E, a distance of 53.18 Feet to the POINT OF BEGINNING and containing 0.4242 acres of land, more or less.

TRACT 3

A 0.0513 acre tract out of the Amasa Turner Survey No. 1, Abstract No. 461 in Hays County, Texas, being the same 0.05 acre tract conveyed to George Glen Garrett, et ux, Hays County, Texas and being more particularly described by metes and bounds as follows:

COMMENCING at a "X" Cut In Rock Found, for the southwest corner of a called 0.50 acre tract (Tract 1), conveyed to Joe Cliett Lumber Company in Volume 155, Page 470 Deed Records of Hays County, Texas, and a called 0.55 acre tract, conveyed to Della Debbas Garrett, in Volume 2138, Page 504, Official Public Records of Hays County, Texas, said "X" Cut being the southeast corner of a called 0.47 acre tract conveyed to Les Crane in Document No. 9919042, Official Public Records of Hays County, Texas, and being in the north line of a 40 foot right-of-way of Deer Lake Road, also known as Old Kyle Road;

THENCE, leaving said Deer Lake Road with the east line of the said 0.47 acre tract and the west line of the said 0.50 acre tract and the said 0.55 acre tract N 11°10'23" W, a distance of 119.85 Feet to a 1/2 Inch Iron Rod Found for the POINT OF BEGINNING, said iron rod being the northwest corner of the said 0.50 acre tract, being also the southwest corner of the said 0.05 acre tract and the herein described tract;

THENCE, leaving said 0.50 acre tract with the east line of the said 0.47 acre tract and the west line of the said 0.55 acre tract and the herein described tract, N 06°49'58" W, a distance of 3.46 Feet to a Concrete Nail Found at the top of a rock bluff for the northwest corner of the said 0.05 acre tract and the herein described tract, said concrete nail being in

the south line of a called 7.19 acre tract conveyed to The Village of Wimberley in Volume 1929, Page 388 Official Public Records of Hays County;

THENCE, leaving said 0.47 acre tract with the south line of the said 7.19 acre tract and the north line of the said 0.05 acre tract and the herein described tract and following the top edge of the said rock bluff, the following seven (7) courses:

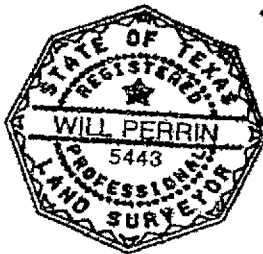
- 1.) N 82°23'42" E, a distance of 19.14 Feet to a Concrete Nail Found for an angle point,
- 2.) N 68°50'15" E, a distance of 48.23 Feet to a Concrete Nail Found for an angle point,
- 3.) N 89°39'34" E, a distance of 26.76 Feet to a Concrete Nail Found for an angle point,
- 4.) N 74°15'55" E, a distance of 40.10 Feet to a Concrete Nail Found for an angle point,
- 5.) S 85°23'34" E, a distance of 66.09 Feet to a Concrete Nail Found for an angle point,
- 6.) N 67°27'23" E, a distance of 12.14 Feet to a 1/2 Inch Iron Rod Found for an angle point, and
- 7.) S 03°35'29" E, a distance of 7.45 Feet to a Concrete Nail Found for the southeast corner of the said 0.05 acre tract and the herein described tract, said concrete nail being in the north line of a called 0.42 acre tract conveyed to Della Debbas Garrett, in Cause No. 02-1821, Hays County, Texas;

THENCE, leaving said 7.19 acre tract with the north line of the said 0.42 acre tract, the said 0.50 acre tract and the south line of the said 0.05 acre tract and the herein described tract, S 82°46'00" W, a distance of 8.14 Feet to a Concrete Nail Found for the northwest corner of the said 0.42 acre tract, the northeast corner of the said 0.50 acre tract, and a angle point in the south line of the said 0.05 acre tract and the herein described tract, S 82°44'03" W, a distance of 199.98 Feet to the POINT OF BEGINNING and containing 0.0513 acres of land, more or less.

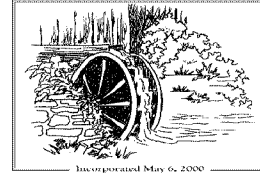
NOTE: I hereby certify that these field notes were prepared from an actual survey made on the ground under my supervision and are true and correct to the best of my knowledge and belief.

Will Perrin

Will Perrin
Registered Professional Land Surveyor
Texas Registration No. 5443
October 15, 2003



Report for CUP-18-007



Summary:

An application for a Conditional Use Permit to allow for the operation of a Vacation Rental at 150 Dobie Drive

Applicant Information:

Applicant: Michael David Brown
150 Dobie Drive
Wimberley, TX 78676

Property Owner: Michael David Brown

Subject Property:

Legal Description: Lot 51, Cliffside Unit 2
Location: 150 Dobie Drive
Existing Use of Property: Residential
Existing Zoning: Single-Family Residential 3 (R-3)
Proposed Use of Property: Vacation Rental
Proposed Zoning: CUP
Planning Area: II
Overlay District: N/A

Surroundings:

Frontage On: Dobie Drive

Area Zoning and Land Use Pattern:

	Current Zoning	Existing Land Use
N of Property	R3	Residential
S of Property	R3	Residential
E of Property	R3	Commercial
W of Property	R3	Residential

Legal Notice

200' Letters: 3/20/2018
Published: 3/22/2018
Sign Placement: 3/23/2018
Responses: 1 property for

Comments:

The applicant, David Brown, has requested a Conditional Use Permit (CUP) to operate a Vacation Rental for property located at 150 Dobie Drive.

The proposed Vacation Rental consists of three (3) bedrooms & two (2) bathrooms. The City Sanitarian has reviewed this request and stated a maximum occupancy of four (4) people per septic regulations.

City staff is recommending the following conditions be made part of the requested CUP, should the City Council recommend approval:

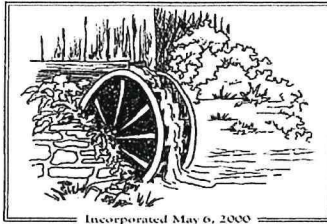
1. No organized outside activities shall be allowed on the property after 10 p.m.

2. No guests, other than paying guests, shall be allowed on the property at any time, unless approved in advanced, in writing, by the owner or their agent.
3. The grounds outside the residence shall remain free of litter and trash at all times.
4. A fire escape plan, identifying fire exits shall be developed and graphically displayed in each guest room.
5. One (1) smoke alarm shall be provided in each guest room, along with a fire extinguisher visible and accessible to guests.
6. A valid taxpayer number for reporting any Texas/City tax shall be provided to the City along with a copy of the completed City of Wimberley/State of Texas Hotel Occupancy Tax Questionnaire, no later than thirty (30) days of such change.
7. The City shall be notified of any change in ownership of the subject property within thirty (30) days of such change.
8. A copy of the requirements set forth in the CUP shall be made available to all guests.
9. The subject property owner shall provide the City and property owners within two hundred (200) feet of the subject property, with the current names and contact information (including telephone numbers and e-mail address) for the local responsible party for the subject property. The local contact shall be able to respond to any incident within thirty (30) minutes of a call and shall be authorized to make decisions regarding tenants at the property. If the name or contact information for the local contact changes, then the property owners shall notify the City and property owners within two hundred (200) feet of the subject property, with the current name and contact information.
10. Unruly gatherings are prohibited. Unruly gathering means a gathering of more than one (1) person which is conducted on premises within the City and which, by reason of the conduct of those persons in attendance, results in the occurrence of one (1) or more of the following conditions or events on public or private property: the destruction of property; obstruction of roadways, driveways, or public ways by crowds or vehicles; excessive noise; disturbances, brawls, fights or quarrels; public urination or defecation; or indecent or obscene conduct or exposure.
11. The property shall be subject to inspection at any time by designated City representatives if compliance is in question, with proper notice provided if feasible.
12. The CUP shall terminate and be considered abandoned if and when there is evidence of no rental activity, based in part of the State/City Hotel Occupancy Tax Reports, for a period of nine (9) months. The burden shall be on the property owner to prove that use of the property has been in continuous use.
13. A property address sign is required and shall be installed on the property no more than ten (10) feet from the street, with the address numbers at least four (4) inches high and two (2) inches wide.
14. One (1) freestanding business sign shall be allowed, but not required, on the property. Such sign shall not exceed four (4) square feet in area and shall be of traditional Hill Country design and color.
15. The maximum occupancy for the property shall be four (4) people.

16. The owner of the property or the owner's agent shall not advertise a maximum occupancy for the vacation rental that is greater than the maximum occupancy established by the City based on septic capacity.
17. The owner of the property or the owner's agent, which may be an agency, shall provide each renter a property map for the vacation rental property that shows the boundaries of the property and advises that trespassing on adjacent property is prohibited.
18. The owner of the subject property shall comply with any and all applicable operating permit requirements that may be established by the City.

To date, there has been one property owner in support of the request. You have staff recommendation for approval.

On April 12th the Planning & Zoning Commission voted 6-0-0 to recommend approval of the application.



City of Wimberley

221 Stillwater Drive, P.O. Box 2027, Wimberley, TX 78676

Phone (512) 847-0025 Fax (512) 847-0422

www.cityofwimberley.com

CONDITIONAL USE PERMIT APPLICATION

OFFICE USE CUP 18 - 007 Date: 2-27-18 Staff Review SIF
P&Z Hearing: 4-12-18 Council Hearing: 4-19-18 Fees Paid: ☒ Application ☐ Public Notice

Applicant: DAVID BROWN
Mailing address: 150 DOBIE DR City: WIMBER State: TX Zip: 78676
Phone: [REDACTED] Email: [REDACTED]
Property Owner: DAVID + SARAH BROWN
Mailing address: ASAC T City: " State: " Zip: "
Phone: " Email: "

Project Site Address: 150 DOBIE DR WIMBERLY TX 78676
Legal description: CLIFFSIDE WIMBERLY #1 LOTS 1
Total Acreage or Square Footage: 160 Deed recorded in: _____
Hays CAD Parcel ID R 24374 Planning Area: _____ Zoning: R-3
Is property located in an overlay district? ☐ Yes ☒ No If Yes, type: _____
Specific Conditional Use Requested: _____

Applicant understands that the purpose of the Conditional Use Permit (CUP) process is to allow certain uses which are not specific; permitted uses within a zoning district. To be considered for a CUP, the requested use must be listed under "Conditional Uses" within the applicable zoning district.

Utilities

Electric Provider: PEC
Water provider or Private Well: WIMBERLY WATER
Wastewater Service or Septic Permit No. _____

*If you have an On-Site Sewage Facility (OSSF) you can submit an open records request for your permit information if you do not have it.

MY REQUEST IS BASED ON THE FOLLOWING:

- (✓) The use is harmonious and compatible with surrounding existing uses or proposed uses, and does not adversely affect an adjoining site than would a permitted use;
- (✓) The use requested by the applicant is set forth as a conditional use in the base district;
- (✓) The nature of the use is reasonable;
- (✓) The conditional use does not adversely affect the safety or convenience of vehicular or pedestrian circulation, including reasonably anticipated traffic and uses in the area;
- (✓) The conditional use does not adversely affect an adjacent property by its resulting traffic through the location, or its lighting, or its type of sign; and
- (✓) That any additional conditions specified, if any, ensure that the intent and purposes of the base district are being upheld.

Deed

ADDITIONAL REQUIREMENTS/DOCUMENTATION

- () Metes and bounds description and/or a survey (i.e., drawing) exhibit showing the property for which the CUP is being requested.
- () Site Plan drawn to scale and showing the general arrangement of the project, together with essential requirements such as off-street parking facilities; size height, construction materials, and locations of buildings and the uses to be permitted; location and construction of signs; means of ingress and egress to public streets; the type of visual screening such as walls, plantings and fences; and the relationship of the intended use to all existing properties and land uses in all directions to a minimum distance of two hundred feet (200').
- () List of Special Conditions that Applicant agrees apply to property.
- () Payment of Application fee \$400.00 (non-refundable)
- () Applicant agrees to attend public hearings before the P&Z Commission as well as the City Council concerning this application; or waives his/her right to appear, understanding that if questions are raised that cannot be answered, the matter may be continued, or denied.
- () Applicant has checked the subdivision plat notes, deed restrictions, restrictive covenants and/or zoning actions to ensure that there are no restrictions on the subject property and applicant understands that the City zoning action does not relieve any obligation of these restrictions.
- () Applicant agrees to provide additional documentation as needed by the City.
- () Applicant understands that City review of this Application is dependent upon the accuracy of the information provided and that any inaccurate or inadequate information provided may delay the review of the Application. Applicant, by his/her signature below, certifies that to the best of his/her knowledge said information is complete and correct.
- () Applicant hereby authorizes the City representatives to visit and inspect the subject property.

2-25-2018

DATE


APPLICANT SIGNATURE

WHEN APPLICABLE:

Date _____

AGENT SIGNATURE

LIST OF CONDITIONS THAT MAY BE INCLUDED IN A BED AND BREAKFAST/VACATION RENTAL CUP

Owner: DAVID BROWN & SARAH BROWN
LOCATION OF PROPERTY: 150 DORSEY DR. WIMBLY TX. 75676
LEGAL DESCRIPTION: CLIFFSIDE-WIMBERLEY II LOT 51
PLANNING AREA: R2
PRESENT ZONING: R-3
EXISTING USE: Residence
USE TO BE GRANTED: Bed & Breakfast OR ☒ Vacation Rental

NEW CONSTRUCTION: (Describe existing construction) If new construction is contemplated: Describe new construction. The architecture and façade of all new construction will be traditional "Hill Country" design and harmonious with those of adjacent uses. No construction shall commence prior to compliance with all applicable ordinances, laws, rules and regulations.

COMPATIBILITY TO NEARBY AREAS: The facilities on the property will at all times be harmonious and compatible with surrounding uses 42.2 A 1.

OFF-STREET PARKING: All parking will be off-street. Off-street parking spaces will be provided for off-street guest parking, which will be adequate for a maximum occupancy of guests. Parking will be in these spaces only. 42.2 A 5; 42.3 F.

SIGNAGE: All signage will be of traditional "Hill Country" design and will comply with the City Sign Ordinance. 42.2 A 1; 42.2 A 6.

NOISE AND LIGHTING: Exterior lighting to be only landscape lighting. All noise audible from outside, and all light visible from outside the property shall be maintained at low levels appropriate to a single family neighborhood. No large parties are permitted.

NUMBER OF BEDROOMS: 3 42.3 B. 2 baths

MAXIMUM OCCUPANCY: 4 guests. 42.3 B.
Per City Sanitation

OCCUPANT REGULATIONS AND GUIDELINES: Guest Guidelines are attached hereto and made a part of this Conditional Use Permit. The bed and breakfast lodging facility shall be operated in accordance with the guidelines. These guidelines shall be furnished to all guests. 42.3 D.

WASTEWATER SYSTEM: The wastewater treatment system (to be designed and constructed) will at all times be adequate for the maximum occupancy. 42.3 H.

WATERFRONT USAGE: (Applicable if guests have water access) Guests may only use the _____ River/Creek in the area directly adjacent to the bed and breakfast lodging facility. Guests may not use the River/Creek in front of other properties or enter upon any property which is not part of the bed and breakfast facility for the purpose of entering or exiting the water or for any other reason. 42.3 E.

PROPERTY MANAGEMENT: Owner will provide guests and close-by neighbors with owner's telephone number to assure Owner's immediate knowledge of any concerns that may arise. (If not owner occupied) Owner agrees to retain under contract a responsible local management company at all times the property is used as a non-owner occupied bed and breakfast lodging. The management company shall advise guests of the applicable conditions contained herein, receive and pass on to owner any complaints received and at owner's direction act upon such complaints. (If Owner occupied) The property shall be the owner's principal place of residence and the owner shall actively supervise and manage the property at all times that it is used as a bed and breakfast facility. 42.3 D.

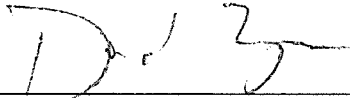
MISCELLANEOUS: Owner agrees to maintain the property in a manner conducive to the health and safety of the guests and the neighborhood. All trash and garbage will be placed in provided receptacles which shall not be visible from the street except on pick-up day. No trash bags shall be left out in the open. The exterior of the facility and the landscaping, including lawns, will be maintained in good condition at all times. 42.2 A 1.

REVOCATION: The cup may be revoked by the City Council upon recommendation of the planning and Zoning Commission in the event of the violation of any of the conditions contained therein.

OWNER COMPLIANCE: Owners agree to comply with all City of Wimberley Ordinances, and all state, county and City laws, rules and regulations.

ACCEPTED AND AGREED TO:

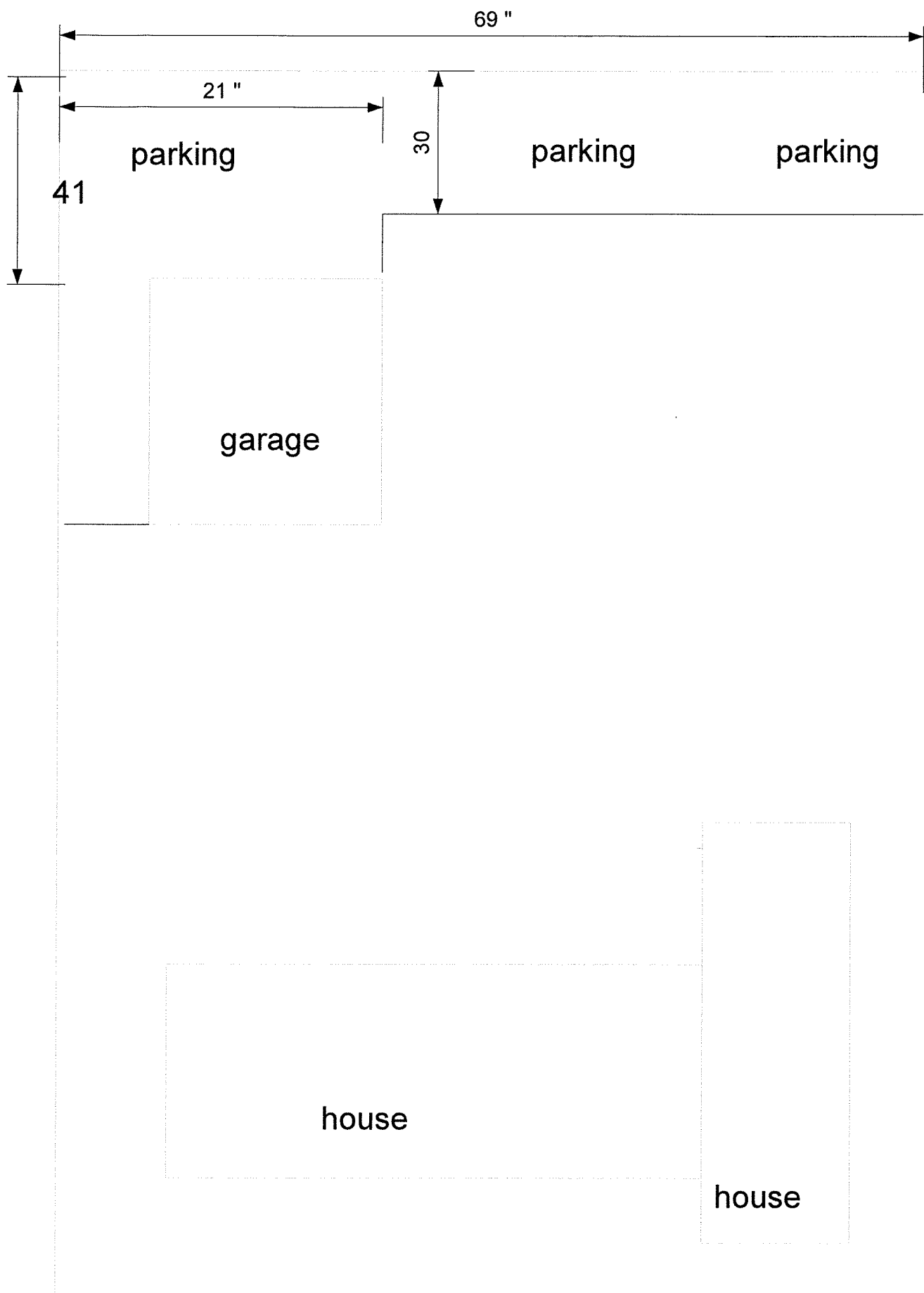
DATE



OWNER

DATE

OWNER



§ 155.038 SINGLE-FAMILY RESIDENTIAL 3; R-3.

(A) *General purpose and description.* The R-3 single-family residential-3, district is intended to provide for development of primarily detached, single-family residences on lots of not less than 10,000 square feet.

(B) *Permitted uses.*

(1) One residence, including:

(a) Single-family detached dwellings.

(2) Accessory buildings and uses, customarily incidental to the above uses and located on the same lot therewith, but not involving the conduct of a retail business except as provided herein:

(a) The term accessory use shall include customary home occupations as herein defined;

(b) Accessory buildings, including a private garage, shall not occupy more than 50% of the minimum required rear yard. When the accessory building is directly attached to the main building, it shall be considered an integral part of the main building. See § 155.076 for additional accessory use requirements;

(c) A detached private garage used in conjunction with the main building; and

(d) Private open space or other private recreational amenities as part of a residential subdivision and not for commercial purposes.

(3) Religious assembly.

(C) *Conditional uses.*

(1) Bed and breakfast lodging or Vacation Rental located only in the residential building;

(2) Home day care (fewer than 7 children);

(3) Home commercial crafts or hobbies;

(4) Telecommunications towers, commercial antennas, and broadcast towers, subject to all applicable city regulations; and

(5) Two-family residential (duplex).

(6) One manufactured home installed on a permanent foundation, as the primary residence.

(D) *Development regulations.*

(1) Lot size: minimum 10,000 square feet, but less than 20,000 square feet.

(2) Maximum building height (as defined in § 155.005):

(a) Primary residential building: not more than 2 stories and not more than 28 feet with flat roof (see definition) or 35 feet with pitched roof;

(b) Accessory buildings: not more than 18 feet and not more than 1 story; and

(c) Decks: not more than 12 feet including a railing only or 18 feet including a roof.

(3) For minimum setbacks, no construction, including buildings, parking areas, and driveways, except entry driveways, and no placement or display of commercial material and equipment shall be allowed in the setbacks. The minimum setbacks shall be the larger of the dimensions in § 155.078(A), Table A, or the following:

(a) Dominant street: 30 feet;

(b) Secondary street: 15 feet;

(c) Interior side yard: 5 feet; and

(d) Rear: 20 feet.

(4) Minimum floor area:

(a) Residential building: 600 square feet.

(5) Maximum impervious cover: 45%. Impervious cover shall be calculated as a percentage of the net site area and shall be the lesser of the percentage specified above in this district description or the percentage for the average lot slope in § 155.078(M), Table C.

(6) The parking and trash collection ordinances will apply.

(E) *Special requirements.*

(1) Recreational vehicles, travel trailers, or motor homes may not be used for on-site dwelling purposes.

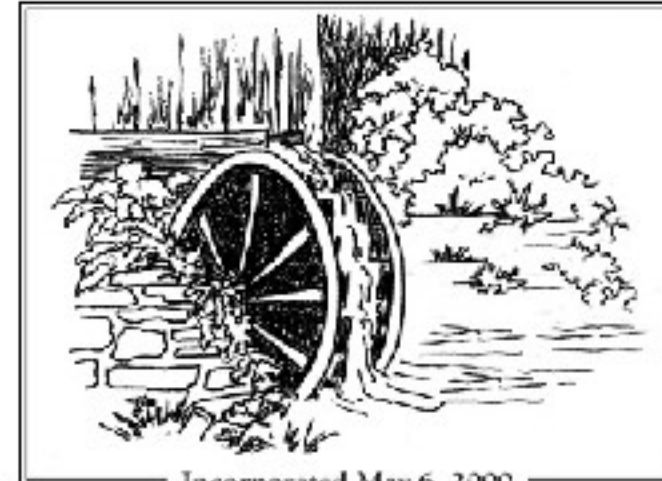
(2) Electrical fencing and barbed wire is prohibited as perimeter fencing.

(3) Open storage is prohibited, except for materials for the resident's personal use or consumption such as firewood, gardening materials, and the like.

(4) Single-family homes with side entry garages where lot frontage is only to 1 street (not a corner lot) shall have a minimum of 25 feet from the door face of the garage or carport to the side property line for maneuvering.

(F) *Other regulations.* As established in §§ 155.075*et seq.*, development standards. (Ord. 2001-010, § 17, passed 4-1-2001; Am. Ord. 2003-006, passed 7-3-2003) Penalty, see § 155.999

CUP-18-007 ~ 150 Dobie Dr.



200' NOTIFICATION

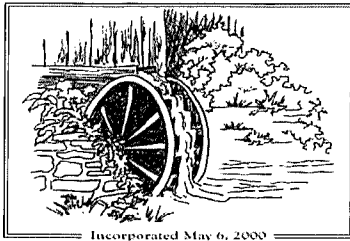
Legend

200' BUFFER

ID. OWNER

- 0. BROWN MICHAEL & STENIS SARAH
- 1. ADAM S, SALLY K E STATE
- 2. ANDERSON, JESSICA
- 3. BILLINGS, RICK
- 4. BOZARTH LON DEE
- 5. BURDICK LENORE LIFE ESTATE
- 6. BURGE, JONATHAN & KAREN
- 7. CONGER RALPH S & OLLE PAT E
- 8. CONGER RALPH S & OLLE PAT E
- 9. CONGER RALPH S & OLLE PAT E
- 10. CONGER RALPH S & OLLE PAT E
- 11. COOMER JON A BYPASS TRUST
- 12. COOMER JON A BYPASS TRUST
- 13. DINSMORE SYLVIA FAMILY TRUST
- 14. DINSMORE SYLVIA FAMILY TRUST
- 15. GALPIN, DANIEL & ROBIN
- 16. GUTIERREZ SERGIO
- 17. GUTIERREZ SERGIO
- 18. GUTIERREZ SERGIO
- 19. HINTON, PAUL TRUST
- 20. HINTON, PAUL TRUST
- 21. KIRKHAM, CLAYTON
- 22. LAMBERT RICHARD & LORINDA
- 23. PURPLE CROWN INVESTMENTS LLC
- 24. PURPLE CROWN INVESTMENTS LLC
- 25. RODRIGUEZ CARLOS JR & STEPHANIE D
- 26. ROEDERER RICHARD
- 27. SPATZ, THOMAS W
- 28. STEPHENS C BRUCE & KILGORE DONAM
- 29. TWIN MOUNTAIN MANOR INC
- 30. WALKER, JOYL
- 31. WITTEN, BILLY SR & IRENE





City of Wimberley

221 Stillwater (P.O. Box 2027), Wimberley, Texas 78676
Phone: 512-847-0025 Fax: 512-847-0422 Web: cityofwimberley.com

March 20, 2018

NOTICE OF PUBLIC HEARING

Re: File No. CUP-18-007

150 Dobie Dr.

A request for a Conditional Use Permit (CUP) to allow the operation of a Vacation Rental

Dear Property Owner:

You are receiving this letter because you own property within 200 feet of the above-referenced location.

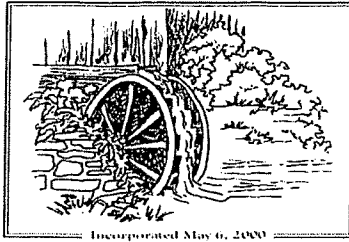
The applicant, David Brown, has requested a Conditional Use Permit (CUP) to operate a Vacation Rental at 150 Dobie Drive. The current zoning for this property is Single-Family Residential 3 (R-3). The City of Wimberley Planning & Zoning Commission will consider this request at a public hearing on **Thursday, April 12, 2018, at 6:00 p.m.** in the Wimberley City Hall, 221 Stillwater. Upon a recommendation from the Commission, City Council will hold a public hearing to consider the same request on **Thursday, April 19, 2018, at 6:00 p.m.**

Because the granting of this request may affect your property, you are encouraged to participate in the zoning process. The public will be given an opportunity to speak during the hearing. If you wish to comment but are unable to attend, written comments may be submitted prior to the meeting.

Additional information regarding the proposed request is available for public review at City Hall during normal business hours. Should you have questions, please feel free to email or contact me at 512-847-0025.

Thank you,

Sandy I. Floyd
Planning & Development Coordinator
GIS Analyst
sfloyd@cityofwimberley.com



City of Wimberley

221 Stillwater, P.O. Box 2027, Wimberley, Texas, 78676

Phone: (512) 847-0025 – Fax: (512) 847-0422

www.cityofwimberley.com

NOTICE BY SIGN POSTING

Date: 03/20/2018

Zoning No: CUP-18-007

Owner _____

To: Code Enforcement/Public Works

Please place a Proposed Zoning Sign on the following property

() Project Site Address 150 Dobie Dr.

located on _____

Aaron Reed
Public Works/ Code Enforcement

Note: The above-referenced sign was placed on the subject property on

_____, 20____

Signature

Proposed
Zoning
PUBLIC HEARING
For information Contact
The City of Wimberley
(512) 847-0025
Please Refer to File Number...

CUP-18-007



Do Not Remove

03/23/2018

Hays County Development Service (512) 393-2150. Tracking number SUB-928.

PUBLIC NOTICE

THE STATE OF TEXAS

THE COUNTY OF HAYS

TO THOSE INDEBTED TO OR HOLDING CLAIMS AGAINST THE ESTATE OF SAMUEL ALEXANDER, DECEASED; HAYS COUNTY COURT AT LAW CAUSE NO. 18-0056-P

The undersigned Independent Executor of the Estate of Samuel Alexander Deceased, of Hays County, Texas, having been granted Letters Testamentary by the County Court of Hays County, Texas, in Probate Cause 18-0056-P, on the 12th day of March, 2018, hereby notifies all persons indebted to said Estate to make payment, and those having legal claims against said Estate to present them within the time prescribed by law at the address below. Dated the 13th day of March, 2018, Reggie Alexander, Independent Executor of the Estate of Samuel Alexander, Deceased, c/o MARILYN G. MILLER, Attorney at Law, P.O. Box 917, Dripping Springs, Texas 78620.

NOTICE OF PUBLIC HEARING (Request for Subdivision)

Notice is hereby given that the Planning & Zoning Commission of the City of Wimberley will hold a public hearing at the Wimberley City Hall on Thursday, April 12, 2018, at 6:00 p.m. to consider the following: S-17-010 - an application for a subdivision and an associated variance from Section 154.063(c) of the City Subdivision Code requiring lots to be rectangular in size and conform to the average depth to average width ratio on a 6.23 acre tract located at 371 Pinion Trail. Upon recommendation of the Planning & Zoning Commission, the City Council will also hold a public hearing on Thursday, April 19, 2018, at 6:00 p.m. at City Hall. Comments on this request from any member of the public may be presented in person at City Hall, by mail (PO Box 2027), or by email (sfloyd@cityofwimberley.com) prior to the hearing. The public will be granted an opportunity to speak at the hearings. Additional information concerning the proposed action is available for review at the Wimberley City Hall, 221 Stillwater, Wimberley, Texas.

NOTICE OF PUBLIC HEARING (Conditional Use Permit)

Notice is hereby given that the Planning & Zoning Commission of the City of Wimberley will hold a public hearing at the Wimberley City Hall on Thursday, April 12, 2018, at 6:00 p.m. to consider the following: CUP-18-006 - an application for a Conditional Use Permit (CUP) to allow the operation of a liquor store at 111 Old Kyle Rd., Ste. 310. Upon recommendation of the Planning & Zoning Commission, the City Council will also hold a public hearing on Thursday, April 19, 2018, at 6:00 p.m. at City Hall. Comments on this request from any member of the public may be presented in person at City Hall, by mail (PO Box 2027), or by email (sfloyd@cityofwimberley.com) prior to the hearing. The public will be granted an opportunity to speak at the hearings. Additional information concerning the proposed action is available for review at the Wimberley City Hall, 221 Stillwater, Wimberley, Texas.

NOTICE OF ENACTMENT OF ORDINANCE NO. 2018-11

An ordinance amending Chapter 50 (Sewers and Water), Section 50.63 (Connection to the Sewer System Required), of the Code of Ordinances of the City of Wimberley, Texas, in order to establish the requirements for mandatory connection to a public wastewater system; and providing for an effective date; proper notice and meeting, savings, severability and repealer.

NOTICE OF ENACTMENT OF ORDINANCE NO. 2018-02

An ordinance of the City of Wimberley, Texas, to increase the tax rate to be imposed on hotel occupancy within the corporate limits and extrajurisdictional jurisdic-

NOTICE OF PUBLIC HEARING (Conditional Use Permit)

Notice is hereby given that the Planning & Zoning Commission of the City of Wimberley will hold a public hearing at the Wimberley City Hall on Thursday, April 12, 2018, at 6:00 p.m. to consider the following: CUP-18-005 - an application for a Conditional Use Permit (CUP) to allow the operation of a vacation rental at 400 CR 1492. Upon recommendation of the Planning & Zoning Commission, the City Council will also hold a public hearing on Thursday, April 19, 2018, at 6:00 p.m. at City Hall. Comments on this request from any member of the public may be presented in person at City Hall, by mail (PO Box 2027), or by email (sfloyd@cityofwimberley.com) prior to the hearing. The public will be granted an opportunity to speak at the hearings. Additional information concerning the proposed action is available for review at the Wimberley City Hall, 221 Stillwater, Wimberley, Texas.

FOR IMMEDIATE RELEASE

LEGAL SECTION

PUBLIC NOTICE

By order of the Hays County Commissioners Court, notice is hereby given that on March 20, 2018 at 9 a.m. in the Hays County Courthouse, 111 E. San Antonio Street, the Hays County Commissioners Court will hold a public hearing to consider:

Cleaves Acres, Unit Two, Lot 5 - Replat

NOTICE OF PUBLIC HEARING (Request for Zoning)

Notice is hereby given that the Planning & Zoning Commission of the City of Wimberley will hold a public hearing at the Wimberley City Hall on Thursday, April 12, 2018, at 6:00 p.m. to consider the following: ZA-18-002 - a request to change the zoning from Commercial-Moderate Impact (C-2) to Commercial-High Impact (C-3) for property located at 13900 RR 12. Upon recommendation of the Planning & Zoning Commission, the City Council will also hold a public hearing on Thursday, April 19, 2018, at 6:00 p.m. at City Hall. Comments on this request from any member of the public may be presented in person at City Hall, by mail (PO Box 2027), or by email (sfloyd@cityofwimberley.com) prior to the hearing. The public will be granted an opportunity to speak at the hearings. Additional information concerning the proposed action is available for review at the Wimberley City Hall, 221 Stillwater, Wimberley, Texas.

PUBLIC NOTICE

Application has been made with the Texas Alcoholic Beverage Commission for a Food and Beverage Certificate and a Wine and Beer Retailers Permit by Penny Henderson dba Oak Creek Cafe, to be located at 660 W Hwy 290, Dripping Springs, Hays County, Texas. Penny Henderson, Owner.

NOTICE OF PUBLIC HEARING (Conditional Use Permit)

Notice is hereby given that the Planning & Zoning Commission of the City of Wimberley will hold a public hearing at the Wimberley City Hall on Thursday, April 12, 2018, at 6:00 p.m. to consider the following: CUP-18-007 - an application for a Conditional Use Permit (CUP) to allow the operation of a vacation rental at 150 Dobie Dr. Upon recommendation of the Planning & Zoning Commission, the City Council will also hold a public hearing on Thursday, April 19, 2018, at 6:00 p.m. at City Hall. Comments on this request from any member of the public may be presented in person at City Hall, by mail (PO Box 2027), or by email (sfloyd@cityofwimberley.com) prior to the hearing. The public will be granted an opportunity to speak at the hearings. Additional information concerning the proposed action is available for review at the Wimberley City Hall, 221 Stillwater, Wimberley, Texas.

Earn more with Quality!
★ ★ ★ 30 YEARS OF SERVICE ★ ★ ★

NANCY LEONA LLOYD LAMBERT DECEASED; HAYS COUNTY COURT AT LAW CAUSE NO. 18-0001-P

The undersigned Independent Executor of the Estate of NANCY LEONA LLOYD LAMBERT, Deceased, of Hays County, Texas, having been granted Letters Testamentary by the County Court of Hays County, Texas, in Probate Cause No. 18-0001-P, on the 12th day of March, 2018, hereby notifies all persons indebted to said Estate to make payment, and those having legal claims against said Estate to present them within the time prescribed by law at the address below. Dated this 14th day of March, 2018, Wanda Sue Lambert Frederick, Executor of the Estate of NANCY LEONA LLOYD LAMBERT, Deceased, c/o MARILYN G. MILLER, Attorney at Law, P.O. Box 917, Dripping Springs, Texas 78620.

email Rebecca Manning at manning@cityofwimberley.com

IMMEDIATE HIRE
For male and female caregivers in surrounding locations. Please contact hiring manager. 830.625.0444.

DELIVERY DRIVER
needed. Part-time. Delivering cut flowers from our farm to grocery stores in the Austin and San Antonio area. Starting pay \$12/hour. Must have clean driving record, be punctual and neat. Contact Frank at 830-833-5428 or email wimberleyfarmwork@gmail.com

General Help Wanted

JOIN THE JERSEY MIKES SUBS TEAM TODAY.

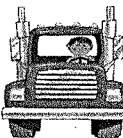
F/T or P/T. \$13-14/hr. Hiring friendly, enthusiastic people for fast casual restaurant, newly opening in Belterra Village. Send resume to jmsubs90@gmail.com. Experience helpful, will train. Go Tigers!



Drivers

DRIVERS: LOCAL:
Make \$225 Daily! Dedicated Out and Back - (San Antonio to Stephenville). Great Benefits & Equipment! CDL-A req. 417-962-2354 www.wdtnll.com

DRIVERS:LOCAL
Delivery Drivers Home EVERY Night! Excellent Pay, Benefits & Bonuses. CDL-A required. Available position-Apply@apply.labattfood.com



General Help Wanted

General Help Wanted

Deer Creek of Wimberley is hiring

Full Time CNA
Double Weekends (Shift Differential)
Full Time CNA
2p-10p (Shift Differential)

Please apply in person
555 Ranch Rd. 3237
Wimberley, TX. 78676

General Help Wanted

General Help Wanted

Hill Country MHDD Center
HILL COUNTRY MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES CENTERS
Children's Mental Health Recovery Coach
Hill Country Mental Health and Developmental Disabilities seeking a Qualified Mental Health Professional for their Full-Time Recovery Coach Position. Candidate must possess a Bachelor's Degree in a Human Services Field. Mental Health / IDD Experience Preferred. \$16.34 per hour / \$34K Annual with Excellent Benefits.
Apply online at www.hillcountry.org
Hill Country MHDD Centers is an EOE

General Help Wanted

General Help Wanted

Hill Country MHDD Center
HILL COUNTRY MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES CENTERS
Community Service Aide III
Hill Country MHDD Centers now hiring Full & Part Time CSA's for their Hays Location - 1200 North Bishop St. San Marcos, TX. This is an excellent opportunity for recent graduating seniors OR jobseekers passionate about working

Rd to Haschke to River Rapids watch for signs.

Misc. Merchandise

VINTAGE FLOWER
Handmade vintage Totes and bags 512-660-1203



Homes For Sale

IN THE CITY OF WIMBERLEY
a beautiful two story house for sale on 4 acres 3 bedrooms, 3 bath, open kitchen, den and playroom. Wrap around large porch, with outdoor kitchen, covered sitting area great for entertaining, 1 block from the Blanco River, One of the last huge horse barns in the city. Paved driveway, fenced completely for animals, great soil for planting no rocks. 430 Savage Lane. 512 557 6259 Wayne

Garage Sales

HOME FOR SALE:
In Fischer a beautiful 2 bed 1.5 bath 1120 sq ft. house on .83 acres. Contact Jessica at 830-992-1570.

General Help Wanted

General Help Wanted

General Help Wanted

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TexSCAN Week of March 18, 2018

ACREAGE

20.2 acres, Duval County, south Texas brush country. Deer, hogs, and quail. \$4,035 down, \$668/mo. (9.9% 30 years). Larger tracts available. 866-286-0199. www.texastxcountry.com.

AUCTION

Karnes City - Annual Long Live Cowboys Special Female Replacement Sale, Sat, March 24 at noon. 400+ females. Karnes City Auction, Inc. 830-623-2855, 1918 Hwy. 80, Karnes City, TX. www.karnescityauction.com.

ADOPTION

Happy couple wish to adopt - endless love, laughter and opportunity. Call or text anytime. Expenses Paid. Heather and Matt 732-397-3117.

CAREER TRAINING

Airline Mechanic Training - Get FAA certification. Approved for military benefits. Financial Aid if qualified. Job placement assistance. Call Aviation Institute of Maintenance, 800-473-4102.

FINANCE

Receiving payments from real estate you sold? Get cash now! Call Steve: 888-870-2243. www.SteveCashesNotes.com.

EVENT

Ingleisle - Round Up Days, March 23-24, N.O. Simons Park, Ingleisle, TX. Rides, games, food, live entertainment, \$6 Admission. Presented by Ingleisle Chamber of Commerce.

WANTED

OIL AND GAS RIGHTS

We buy oil, gas & mineral rights. Buy and producing including non-Part Interest (NPI). Provide us your de- offer evaluation. 806-620-1422, Lubbock, Texas. Lobo Minerals, LLC, Lubbock, TX 79408-1800.

TRUCK DRIVE

Be Your Own Boss! Get Paid to see the Drive-Away is looking for CDL D Trucks! Apply Online at www.quali or call 574-642-2023.

SAWMILLS

Sawmills from only \$4,397.00 - Money with your own handmill - dimension. In stock ready to ship! www.NorwoodSawmills.com. 1 Ext.300N.

TV/INTERNE

DISH TV \$59.99 For 190 Channels Speed Internet. Free Installation, Included, Free Voice Remote. Some Call 877-625-4980.

FREON R12 WANTED: Certified CASH for R12 cylinders or cases of 9169, www.refrigmanfinders.com.

Texas Press Statewide Classified Network

Sandy Floyd

From: [REDACTED] Lon Bozarth [REDACTED]
Sent: Friday, March 23, 2018 11:10 AM
To: Sandy Floyd
Subject: File No. CUP-18-007

Ms Floyd

I am writing to give my consent for a Conditional Use Permit to operate a vacation rental at 150 Dobie Dr, Wimberley. I am a neighbor and have no problem with it. Please relay my consent to the Planning and Zoning Commission's April 12 public hearing.

Regards

.....
Lon Bozarth // 120 Dobie Dr
Wimberley TX // [REDACTED]
.....

ORDINANCE NO. 2018-xx

AN ORDINANCE APPROVING AN APPLICATION FOR A CONDITIONAL USE PERMIT SUBMITTED BY MICHAEL DAVID BROWN TO PERMIT THE OPERATION OF A VACATION RENTAL ON PROPERTY LOCATED AT 150 DOBIE DRIVE, WIMBERLEY, TEXAS, ZONED SINGLE-FAMILY RESIDENTIAL 3 (R-3); AND PROVIDING FOR FINDINGS OF FACT; AMENDMENT OF THE ZONING DISTRICT MAP; REPEALER; SEVERABILITY; EFFECTIVE DATE; PROPER NOTICE AND MEETING; AND PROVIDING FOR CERTAIN CONDITIONS.

WHEREAS, an application for a Conditional Use Permit has been filed by Michael David Brown (“Applicant”) requesting authorization to operate a vacation rental on real property described as Lot 51, Cliffside II, zoned Single-Family Residential 3 (R-3); and

WHEREAS, a vacation rental is an authorized use in areas zoned Commercial-Low Impact (C-1) upon approval of a Conditional Use Permit;

WHEREAS, after conducting a public hearing on the matter, the Planning and Zoning Commission recommended approval of the CUP application; and

WHEREAS, Applicant has submitted a Conditional Use Permit Application and other necessary information, and has complied with the requirements of the City of Wimberley Zoning Ordinance; and

WHEREAS, the Planning and Zoning Commission and City Council have conducted public hearings on the application for a Conditional Use Permit wherein public comment was received and considered on the application; and

WHEREAS, the City Council finds that the use of the subject property as a vacation rental facility, subject to the conditions imposed by this Ordinance, is an appropriate use for the property and is a compatible use with the surrounding properties and neighborhoods.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WIMBERLEY, HAYS COUNTY, TEXAS:

ARTICLE I. FINDINGS OF FACT

All of the above premises are hereby found to be true and correct legislative and factual findings of the City of Wimberley and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

ARTICLE II. APPROVAL - TERMS AND CONDITIONS

The CITY COUNCIL HEREBY GRANTS the Application for a Conditional Use Permit submitted by Michael David Brown (“Applicant”) for use as a vacation rental on real property, described as Lot 51, Cliffside II, as more particularly described by survey in Exhibit “A”, attached and incorporated by reference, zoned Single-Family Residential 3 (R-3), Wimberley, Hays County, Texas, subject to the following terms and conditions:

City of Wimberley, Texas

1. No organized outside activities shall be allowed on the property after 10 p.m.
2. No guests, other than paying guests, shall be allowed on the property at any time, unless approved in advanced, in writing, by the owner or their agent.
3. The grounds outside the residence shall remain free of litter and trash at all times.
4. A fire escape plan, identifying fire exits shall be developed and graphically displayed in each guest room.
5. One (1) smoke alarm shall be provided in each guest room, along with a fire extinguisher visible and accessible to guests.
6. A valid taxpayer number for reporting any Texas/City tax shall be provided to the City along with a copy of the completed City of Wimberley/State of Texas Hotel Occupancy Tax Questionnaire, no later than thirty (30) days of such change.
7. The City shall be notified of any change in ownership of the subject property within thirty (30) days of such change.
8. A copy of the requirements set forth in the CUP shall be made available to all guests.
9. The subject property owner shall provide the City and property owners within two hundred (200) feet of the subject property, with the current names and contact information (including telephone numbers and e-mail address) for the local responsible party for the subject property. The local contact shall be able to respond to any incident within thirty (30) minutes of a call and shall be authorized to make decisions regarding tenants at the property. If the name or contact information for the local contact changes, then the property owners shall notify the City and property owners within two hundred (200) feet of the subject property, with the current name and contact information.
10. Unruly gatherings are prohibited. Unruly gathering means a gathering of more than one (1) person which is conducted on premises within the City and which, by reason of the conduct of those persons in attendance, results in the occurrence of one (1) or more of the following conditions or events on public or private property: the destruction of property; obstruction of roadways, driveways, or public ways by crowds or vehicles; excessive noise; disturbances, brawls, fights or quarrels; public urination or defecation; or indecent or obscene conduct or exposure.
11. The property shall be subject to inspection at any time by designated City representatives if compliance is in question, with proper notice provided if feasible.
12. The CUP shall terminate and be considered abandoned if and when there is evidence of no rental activity, based in part of the State/City Hotel Occupancy Tax Reports, for a

period of nine (9) months. The burden shall be on the property owner to prove that use of the property has been in continuous use.

13. A property address sign is required and shall be installed on the property no more than ten (10) feet from the street, with the address numbers at least four (4) inches high and two (2) inches wide.
14. One (1) freestanding business sign shall be allowed, but not required, on the property. Such sign shall not exceed four (4) square feet in area and shall be of traditional Hill Country design and color.
15. The maximum occupancy for the property shall be four (4) people.
16. The owner of the property or the owner's agent shall not advertise a maximum occupancy for the vacation rental that is greater than the maximum occupancy established by the City based on septic capacity.
17. The owner of the property or the owner's agent, which may be a vacation rental agency, shall provide each renter a property map for the vacation rental property that shows the boundaries of the property and advises that trespassing on adjacent property is prohibited.
18. Should an operating permit for vacation rental facilities be established by the City in the future, the owner of the subject property shall comply with any and all applicable operating permit requirements that may be established by the City.

ARTICLE III. ZONING DISTRICT MAP

The official Zoning District Map shall be revised to reflect the Conditional Use Permit established by this Ordinance.

ARTICLE IV. REPEALER

All ordinances or parts of ordinances in force when the provisions of this Ordinance become effective which are inconsistent or in conflict with the terms and provisions contained in this Ordinance are hereby repealed, but only to the extent of any such conflict.

ARTICLE V. SEVERABILITY

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this Ordinance be severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality or unenforceability shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance, and the remainder of this Ordinance shall be enforced as written.

ARTICLE VI. EFFECTIVE DATE

This ordinance shall take effect immediately from and after its passage and publication as may be required by governing law.

ARTICLE VII. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code, and the Standard Zoning Enabling Act, Chapter 211 of the Texas Local Government Code. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

PASSED AND APPROVED by the City of Wimberley City Council on the 19th day of April, 2018 by a vote of (Ayes) and (Nays) and (Abstain).

CITY OF WIMBERLEY

By: _____
Herschel "Mac" McCullough, Mayor

ATTEST:

Laura Calcote, City Secretary

APPROVED AS TO FORM:

City Attorney

STATE OF TEXAS }
COUNTY OF BEXAR }
I hereby certify that the foregoing plat is a true and correct plat compiled from an actual survey made on the ground by me.

Licensed State Land Surveyor,
County Surveyor, Bexar County, Texas.

Sworn and subscribed to before me, this 7th day of Aug. A.D. 1946.
Prudence Kuykendall
Notary Public, Bexar County, Texas



The owner of the land shown on this plat and whose name is subscribed hereon acknowledged that this plat was made from an actual survey made on the ground by the surveyor whose name is endorsed hereon.

A. Lange
Owner

STATE OF TEXAS }
COUNTY OF HAYS }

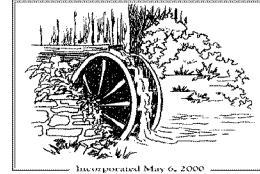
Before me, the undersigned authority on this day personally appeared A. Lange, of me sole, known to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this day of Aug., A.D. 1946.

County Judge x *Nettie C. Molwin*
Notary Public, Hays County, Texas.

PLAT
OF
CLIFFSIDE
(SECOND UNIT)
A SUBDIVISION OUT OF
AMASA TURNER SURVEY
HAYS COUNTY, TEXAS

Report for Zoning ZA-18-002



Summary:

A request to change the zoning of property located at 13900 RR 12 from Commercial-Moderate Impact (C-2) to Commercial-High Impact (C-3)

Applicant Information:

Applicant: Wimberley RR12/Phil Collins
Property Owner: Wimberley RR12

Subject Property:

Legal Description: 0.874 acres out of the Amasa Turner Survey Abstract No. 461
Location: 13900 Ranch Road 12
Existing Use of Property: Commercial
Existing Zoning: C-2
Proposed Use of Property: Commercial
Proposed Zoning: C-3
Planning Area: V
Overlay District: Village Center

Surroundings:

Frontage On: Old Kyle, RR 12

Area Zoning and Land Use Pattern:

	Current Zoning	Existing Land Use
N of Property	C1, C3	Commercial
S of Property	C1, C2	Commercial
E of Property	C1, C2	Commercial
W of Property	C3	Commercial

Legal Notice

200' Letters: 3/22/2018
Published: 3/22/2018
Sign Placement: 3/23/2018
Responses: 3 properties against within the 200' notice area

Comments:

The applicant, Wimberley RR 12, has submitted an application to change the zoning for a tract of land located at 13900 Ranch Road 12 from Commercial-Moderate Impact (C-2) to Commercial-High Impact (C-3). The applicant would like to allow further flexibility for his property such as allowing an eating establishing with on-site alcohol, which is a permitted use under the C-3 zoning category. Commercial-High Impact zoning is allowed in Planning Area V and there are multiple surrounding properties that are zoned C-3 within the Village Center Overlay District. Opposition has been received from three property owner's within the notice area which totals 8.98%. Staff recommends approval based upon compatibility with the Comprehensive Plan.

On April 12th the Planning & Zoning Commission voted 4-1-1 to recommend approval of the application.



FOR OFFICIAL USE ONLY

APPLICATION DATE: MARCH 14, 2018 FILE NO. ZA-18-002
TENTATIVE P&Z HEARING: APRIL 12, 2018 TENTATIVE COUNCIL HEARING: APRIL 19, 2018
CITY INITIATED: ☐ YES - ☒ NO PLANNING AREA: IV ZONING REQUESTED: C-3
ZONING FEES: \$ 300⁰⁰ DATE PAID: 3-15-2018 RECEIVED BY: SANDY L. FLOW

APPLICATION FOR COMMERCIAL ZONING
NON-RESIDENTIAL, MULTI-FAMILY DEVELOPMENTS, MOBILE HOME DEVELOPMENTS

OWNER, AGENT AND PROJECT DATA

STREET ADDRESS OF 13,900 RR 12 HAYS COUNTY CENTRAL
PROPERTY TO APPRAISAL DISTRICT
BE ZONED: 13,900 RR 12 Wimberley, Texas PROPERTY ID#: R 18425 **

* New street addresses can be obtained by calling (512) 393-2160

** This number may be obtained this from your property tax statement or HCAD's website.

PLEASE PROVIDE DIRECTIONS TO YOUR PROPERTY:

ON EDGE OF
SQUARE WITH FRONTAGE ON RR 12 + OLD KY 6 R.
GREEN HOUSE, BROWN 2 STORY, AND 2 LOG CABINS

NOTE: Please clearly mark your property so it is easily identifiable.

1. OWNER'S NAME: Wimberly RR 12 LLC HOME PHONE: ()
Phil Collins BUSINESS PHONE: [REDACTED]
FAX: ()
E-MAIL: [REDACTED]
OWNER'S CURRENT MAILING
ADDRESS 13501 RR 12, #103 CITY Wimberly STATE TX ZIP 78676
EMAIL: [REDACTED]

2. AGENT'S NAME: N/A AGENT'S PHONE: ()
FAX: ()
AGENT'S FIRM NAME: E-MAIL:

AGENT'S FIRM MAILING
ADDRESS: CITY STATE ZIP
EMAIL:

PROPERTY INFORMATION

3. TOTAL AREA TO BE ZONED: ACRES .874 (OR) SQ.FT. 38,071 TOTAL NO. of TRACTS: ONE

4. PLANNING AREA(S): V 5. REQUESTED ZONING CLASSIFICATION: C3

PROPOSED USE(S): PROF OFFICES, RESTAURANT, OTHER COMMERCIAL USE

6. EXISTING ZONING CLASSIFICATION(S) AND USES (if applicable): C2

7. LEGAL DESCRIPTION

Street Address: 13900 RR 12 Subdivision: OLDHAM

Block(s) ABS 461 Lot(s) PT OF 10

Plat Book: _____ Page Number: _____

8. DEED RECORDS: (REFERENCE OF DEED CONVEYING PROPERTY TO THE PRESENT OWNER):
GEOGRAPHIC ID 10-0461-0049-00000-8

VOLUME: _____ PAGE: _____ OF COUNTY PLAT RECORDS

9. OTHER PROVISIONS

A. IS PROPERTY IN AN OVERLAY DISTRICT? YES ☒ NO _____ UNKNOWN _____

TYPE OF OVERLAY ZONE(S) (if applicable) VILLAGE Center

B. FLOOD PLAIN (What, if any, flood zone does your property occupy?): N/A

C. ELECTRIC UTILITY PROVIDER: PEC

WATER UTILITY PROVIDER: WIMBERLY WATER

WASTEWATER UTILITY PROVIDER: TBD

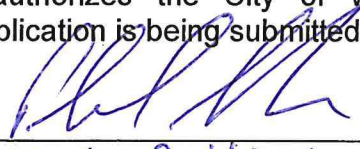
HAYS COUNTY SEPTIC PERMIT NUMBER (if applicable): _____

Related Cases, If Applicable

- | | |
|--|----------------|
| ☐ Zoning | File No. _____ |
| ☐ Building Permit | File No. _____ |
| ☐ Subdivision | File No. _____ |
| ☐ Sign Permit | File No. _____ |
| ☐ Engineered construction | File No. _____ |

SITE INSPECTION AUTHORIZATION

Applicant/owner, or Applicant's authorized agent, hereby authorizes the City of Wimberley representatives to visit and inspect the property for which this application is being submitted.

Date: MAR 13, 2018 APPLICANT SIGNATURE 
WHEN APPLICABLE: Phil Collins

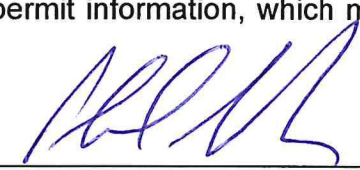
Date: _____ AGENT SIGNATURE _____

ACKNOWLEDGMENT OF EXISTING Subdivision Plat Notes, Deed Restrictions Restrictive Covenants and/or Zoning Conditional Use Permits

I, the Applicant herein, have checked the subdivision plat notes, deed restrictions, restrictive covenants and/or zoning conditional use permits prohibiting certain uses and/or requiring certain development restrictions (for example, height, access, screening) on the property now being zoned on my behalf and located at: 13900 PR 12, WIMBERLEY TX and more particularly known as Lot _____, Block _____ of the OLDHAM Subdivision.

If a conflict should result with the request I am submitting to the City of Wimberley due to subdivision plat notes, deed restrictions, restrictive covenants and/or zoning conditional use permits it will be my responsibility to resolve it. I also acknowledge that I understand the implications of use and/or development restrictions that are a result of subdivision plat notes, deed restrictions, restrictive covenants and/or zoning conditional use permits.

I understand that if requested, I must provide copies of any and all subdivision plat notes, deed restrictions, restrictive covenants and/or zoning conditional use permit information, which may apply to this property.

Date: 3/13/18 APPLICANT SIGNATURE 

WHEN APPLICABLE:
Date: _____ AGENT SIGNATURE _____

SUBMITTAL CHECKLIST

TO ENSURE THAT YOU HAVE COMPLIED WITH THE ZONING APPLICATION REQUIREMENTS, REVIEW THE FOLLOWING LIST. FAILURE TO COMPLETE THE NECESSARY STEPS CAN CAUSE A DELAY IN PROCESSING YOUR APPLICATION.

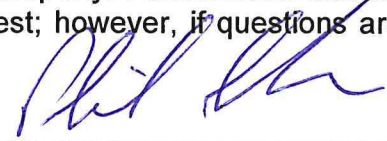
- ☒ Complete "Application For Zoning"
- ☐ Provide plat map of property to be zoned which includes all properties within 200 feet of any portion of Applicant's property; and which clearly indicates streets in surrounding area.
- ☐ Provide plat map of the specific property to be zoned.
- ☐ Provide names and addresses of property owners within 200 feet of any portion of Applicant's property.
- ☒ Provide a legal description of the property to be zoned.
- ☒ Sign/date Submittal Verification form.
- ☒ Sign/date Site Inspection Authorization form.
- ☒ Sign/date Acknowledgement Form.
- ☒ Pay Zoning Fee (this fee is based on the cost of services incurred by the City of Wimberley in reviewing, processing and recording the zoning request).
- ☒ Applicant agrees to attend a pre-zoning conference prior to acceptance of Application.
- ☒ Applicant agrees to attend Planning & Zoning Commission hearings scheduled for Applicant's proposed zoning.
- ☒ Applicant agrees to attend City Council hearing scheduled for Applicant's proposed zoning or waives his/her rights of appearance (see below).

SUBMITTAL VERIFICATION AND/OR WAIVER OF APPEARANCE

- (☒) My signature attests to the fact that the attached application package is complete and accurate to the best of my knowledge. I understand that City review of this Application is dependent upon the accuracy of the information provided and that any inaccurate or inadequate information provided by me, my firm, or agent, may delay the review of the Application.
- (☒) I hereby waive my right to appear before the City of Wimberley City Council at the public hearing to be held concerning the zoning of my above-referenced property. I understand that my failure to appear allows the Council to consider my zoning request; however, if questions are raised that cannot be answered, the matter will be continued.

Date: 3/13/18

APPLICANT SIGNATURE


Phil Collins

WHEN APPLICABLE:

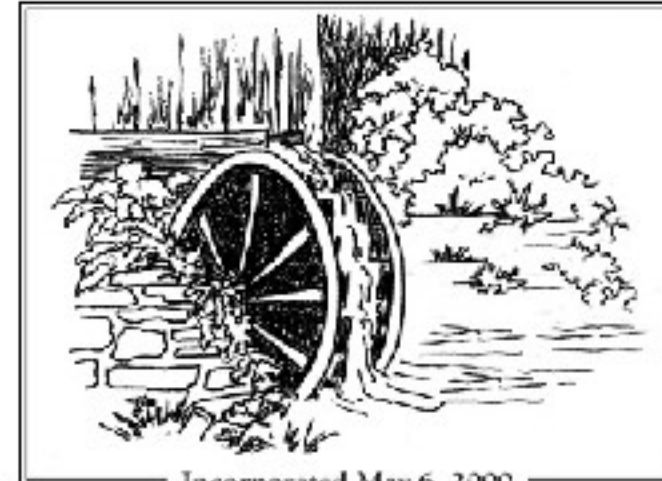
Date: _____

AGENT SIGNATURE _____

<i>Area</i>	Zoning Districts Allowed
I	RA, R-1, R-2, R-3, PPU, PF, WPDD, NS, RR-1
II	RA, R-1, R-2, R-3, R-4, R-5, MF-1, PPU, PF, WPDD, NS, RR-1
III	RA, R-1, R-2, R-3, R-4, R-5, MF-1, MH, O-1, C-1, L-1, PR-1, PPU, PF, WPDD

IV	RA, R-1, R-2, R-3, R-4, R-5, MF-1, MF-2, MH, O-1, O-2, C-1, C-2, L-1, PR-1, PR-2, PPU, PF, WPDD
V	RA, R-1, R-2, R-3, R-4, R-5, MF-1, MF-2, O-1, O-2, C-1, C-2, C-3, L-1, L-2, AS/S, PR-1, PR-2, PPU, PF, WPDD
VI	O-1, O-2, C-1, C-2, C-3, L-1, L-2, I-1, I-2, HC, IP, PPU, PF, WPDD
VII	RA, R-1, R-2, NS, O-1, L-1, PPU, PR-1, PF, SCD, WPDD

ZA-18-002 ~ 13900 RR 12



200' NOTIFICATION

Legend

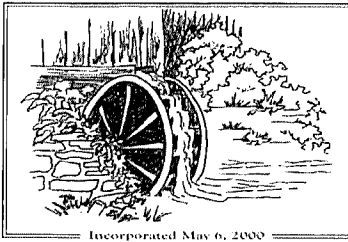
200' Buffer

ID. OWNER

- 0. WIMBERLEY RR 12 LLC
- 1. BARLOW STEPHEN A & SARAH
- 2. BELL SHOWALTER INTERESTS
- 3. CITY OF WIMBERLEY
- 4. DOUBLE LC PARTNERS LTD
- 5. DOUBLE LC PARTNERS ONE LTD
- 6. LUMBERYARD SB1 LLC
- 7. LUMBERYARD SB1 LLC
- 8. MARTHA OLIVER
- 9. NANCY ODOM
- 10. ODOM CHARLES N TRUSTEE
- 11. PAISLEY, JEROME E (LIFE ESTATE)
- 12. ROBERT EUGENE LITTLE
- 13. SANDER ALBERT & JEAN
- 14. SANDER ALBERT A & JEAN A
- 15. SULLIVAN, GAY B
- 16. WHITE, PATRICIA CARO
- 17. WIMBERLEY CHRISTIAN CHURCH
- 18. WIMBERLEY CHRISTIAN CHURCH
- 19. WIMBERLEY PATIO BUILDING LLC
- 20. WIMBERLEY WAYS LLC



0 100 200 Feet



City of Wimberley

221 Stillwater (P.O. Box 2027), Wimberley, Texas 78676
Phone: 512-847-0025 Fax: 512-847-0422 Web: cityofwimberley.com

March 22, 2018

NOTICE OF PUBLIC HEARING

Re: File No. ZA-18-002
13900 RR 12

Dear Property Owner:

You are receiving this letter because you own property within 200 feet of the above-referenced location.

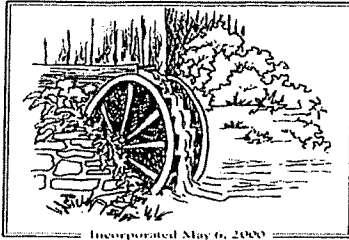
The owner, Wimberley RR 12 LLC, is proposing to change the zoning from **Commercial-Moderate Impact (C-2) to Commercial-High Impact (C-3)** for property located at 13900 RR 12. The City of Wimberley Planning & Zoning Commission will consider this request at a public hearing on **Thursday, April 12, 2018, at 6:00 p.m.** in the Wimberley City Hall, 221 Stillwater. Upon a recommendation from the Commission, City Council will hold a public hearing to consider the same request on **Thursday, April 19, 2018, at 6:00 p.m.**

Because the granting of this request may affect your property, you are encouraged to participate in the zoning process. The public will be given an opportunity to speak during the hearing. If you wish to comment but are unable to attend, written comments may be submitted prior to the meeting.

Additional information regarding the proposed request is available for public review at City Hall during normal business hours. Should you have questions, please feel free to email or contact me at 512-847-0025.

Thank you,

Sandy I. Floyd
Planning & Development Coordinator
GIS Analyst
sfloyd@cityofwimberley.com



City of Wimberley

221 Stillwater, P.O. Box 2027, Wimberley, Texas, 78676

Phone: (512) 847-0025 – Fax: (512) 847-0422

www.cityofwimberley.com

NOTICE BY SIGN POSTING

Date: 03/20/2018

Zoning No: 2A-18-002

Owner _____

To: Code Enforcement/Public Works

Please place a Proposed Zoning Sign on the following property

() Project Site Address 13900 RR-12

located on _____

Aaron Reed
Public Works/ Code Enforcement

Note: The above-referenced sign was placed on the subject property on

_____, 20____

Signature

**Proposed
Zoning
PUBLIC HEARING**
**For information Contact
The City of Wimberley
(512) 847-0025
Please Refer to File Number...**

2A-18-002



Do Not Remove

03/23/2018

Hays County Development Service (512) 393-2150. Tracking number SUB-928.

PUBLIC NOTICE

THE STATE OF TEXAS

THE COUNTY OF HAYS

TO THOSE INDEBTED TO OR HOLDING CLAIMS AGAINST THE ESTATE OF SAMUEL ALEXANDER, DECEASED; HAYS COUNTY COURT AT LAW CAUSE NO. 18-0056-P

The undersigned Independent Executor of the Estate of Samuel Alexander Deceased, of Hays County, Texas, having been granted Letters Testamentary by the County Court of Hays County, Texas, in Probate Cause 18-0056-P, on the 12th day of March, 2018, hereby notifies all persons indebted to said Estate to make payment, and those having legal claims against said Estate to present them within the time prescribed by law at the address below. Dated the 13th day of March, 2018, Reggie Alexander, Independent Executor of the Estate of Samuel Alexander, Deceased, c/o MARILYN G. MILLER, Attorney at Law, P.O. Box 917, Dripping Springs, Texas 78620.

NOTICE OF PUBLIC HEARING (Request for Subdivision)

Notice is hereby given that the Planning & Zoning Commission of the City of Wimberley will hold a public hearing at the Wimberley City Hall on Thursday, April 12, 2018, at 6:00 p.m. to consider the following: S-17-010 - an application for a subdivision and an associated variance from Section 154.063(c) of the City Subdivision Code requiring lots to be rectangular in size and conform to the average depth to average width ratio on a 6.23 acre tract located at 371 Pinion Trail. Upon recommendation of the Planning & Zoning Commission, the City Council will also hold a public hearing on Thursday, April 19, 2018, at 6:00 p.m. at City Hall. Comments on this request from any member of the public may be presented in person at City Hall, by mail (PO Box 2027), or by email (sfloyd@cityofwimberley.com) prior to the hearing. The public will be granted an opportunity to speak at the hearings. Additional information concerning the proposed action is available for review at the Wimberley City Hall, 221 Stillwater, Wimberley, Texas.

NOTICE OF PUBLIC HEARING (Conditional Use Permit)

Notice is hereby given that the Planning & Zoning Commission of the City of Wimberley will hold a public hearing at the Wimberley City Hall on Thursday, April 12, 2018, at 6:00 p.m. to consider the following: CUP-18-006 - an application for a Conditional Use Permit (CUP) to allow the operation of a liquor store at 111 Old Kyle Rd, Ste. 310. Upon recommendation of the Planning & Zoning Commission, the City Council will also hold a public hearing on Thursday, April 19, 2018, at 6:00 p.m. at City Hall. Comments on this request from any member of the public may be presented in person at City Hall, by mail (PO Box 2027), or by email (sfloyd@cityofwimberley.com) prior to the hearing. The public will be granted an opportunity to speak at the hearings. Additional information concerning the proposed action is available for review at the Wimberley City Hall, 221 Stillwater, Wimberley, Texas.

NOTICE OF ENACTMENT OF ORDINANCE NO. 2018-11

An ordinance amending Chapter 50 (Sewers and Water), Section 50.63 (Connection to the Sewer System Required), of the Code of Ordinances of the City of Wimberley, Texas, in order to establish the requirements for mandatory connection to a public wastewater system; and providing for an effective date; proper notice and meeting, savings, severability and repealer.

NOTICE OF ENACTMENT OF ORDINANCE NO. 2018-02

An ordinance of the City of Wimberley, Texas, to increase the tax rate to be imposed on hotel occupancy within the corporate limits and extrajurisdictional jurisdic-

NOTICE OF PUBLIC HEARING (Conditional Use Permit)

Notice is hereby given that the Planning & Zoning Commission of the City of Wimberley will hold a public hearing at the Wimberley City Hall on Thursday, April 12, 2018, at 6:00 p.m. to consider the following: CUP-18-005 - an application for a Conditional Use Permit (CUP) to allow the operation of a vacation rental at 400 CR 1492. Upon recommendation of the Planning & Zoning Commission, the City Council will also hold a public hearing on Thursday, April 19, 2018, at 6:00 p.m. at City Hall. Comments on this request from any member of the public may be presented in person at City Hall, by mail (PO Box 2027), or by email (sfloyd@cityofwimberley.com) prior to the hearing. The public will be granted an opportunity to speak at the hearings. Additional information concerning the proposed action is available for review at the Wimberley City Hall, 221 Stillwater, Wimberley, Texas.

FOR IMMEDIATE RELEASE

LEGAL SECTION

PUBLIC NOTICE

By order of the Hays County Commissioners Court, notice is hereby given that on March 20, 2018 at 9 a.m. in the Hays County Courthouse, 111 E. San Antonio Street, the Hays County Commissioners Court will hold a public hearing to consider:

Cleaves Acres, Unit Two, Lot 5 - Replat

NOTICE OF PUBLIC HEARING (Request for Zoning)

Notice is hereby given that the Planning & Zoning Commission of the City of Wimberley will hold a public hearing at the Wimberley City Hall on Thursday, April 12, 2018, at 6:00 p.m. to consider the following: ZA-18-002 - a request to change the zoning from Commercial-Moderate Impact (C-2) to Commercial-High Impact (C-3) for property located at 13900 RR 12. Upon recommendation of the Planning & Zoning Commission, the City Council will also hold a public hearing on Thursday, April 19, 2018, at 6:00 p.m. at City Hall. Comments on this request from any member of the public may be presented in person at City Hall, by mail (PO Box 2027), or by email (sfloyd@cityofwimberley.com) prior to the hearing. The public will be granted an opportunity to speak at the hearings. Additional information concerning the proposed action is available for review at the Wimberley City Hall, 221 Stillwater, Wimberley, Texas.

PUBLIC NOTICE

Application has been made with the Texas Alcoholic Beverage Commission for a Food and Beverage Certificate and a Wine and Beer Retailers Permit by Penny Henderson dba Oak Creek Cafe, to be located at 660 W Hwy 290, Dripping Springs, Hays County, Texas. Penny Henderson, Owner.

NOTICE OF PUBLIC HEARING (Conditional Use Permit)

Notice is hereby given that the Planning & Zoning Commission of the City of Wimberley will hold a public hearing at the Wimberley City Hall on Thursday, April 12, 2018, at 6:00 p.m. to consider the following: CUP-18-007 - an application for a Conditional Use Permit (CUP) to allow the operation of a vacation rental at 150 Dobie Dr. Upon recommendation of the Planning & Zoning Commission, the City Council will also hold a public hearing on Thursday, April 19, 2018, at 6:00 p.m. at City Hall. Comments on this request from any member of the public may be presented in person at City Hall, by mail (PO Box 2027), or by email (sfloyd@cityofwimberley.com) prior to the hearing. The public will be granted an opportunity to speak at the hearings. Additional information concerning the proposed action is available for review at the Wimberley City Hall, 221 Stillwater, Wimberley, Texas.

Earn more with Quality!
★ ★ ★ 30 YEARS OF SERVICE ★ ★ ★

NANCY LEONA LLOYD LAMBERT DECEASED; HAYS COUNTY COURT AT LAW CAUSE NO. 18-0001-P

The undersigned Independent Executor of the Estate of NANCY LEONA LLOYD LAMBERT, Deceased, of Hays County, Texas, having been granted Letters Testamentary by the County Court of Hays County, Texas, in Probate Cause No. 18-0001-P, on the 12th day of March, 2018, hereby notifies all persons indebted to said Estate to make payment, and those having legal claims against said Estate to present them within the time prescribed by law at the address below. Dated this 14th day of March, 2018, Wanda Sue Lambert Frederick, Executor of the Estate of NANCY LEONA LLOYD LAMBERT, Deceased, c/o MARILYN G. MILLER, Attorney at Law, P.O. Box 917, Dripping Springs, Texas 78620.

email Rebecca Manning at manning@cityofwimberley.com

IMMEDIATE HIRE
For male and female caregivers in surrounding locations. Please contact hiring manager. 830.625.0444.

DELIVERY DRIVER
needed. Part-time. Delivering cut flowers from our farm to grocery stores in the Austin and San Antonio area. Starting pay \$12/hour. Must have clean driving record, be punctual and neat. Contact Frank at 830-833-5428 or email wimberleyfarmwork@gmail.com

General Help Wanted

JOIN THE JERSEY MIKES SUBS TEAM TODAY.

F/T or P/T. \$13-14/hr. Hiring friendly, enthusiastic people for fast casual restaurant, newly opening in Belterra Village. Send resume to jmsubs90@gmail.com. Experience helpful, will train. Go Tigers!



Drivers

DRIVERS: LOCAL:
Make \$225 Daily! Dedicated Out and Back - (San Antonio to Stephenville). Great Benefits & Equipment! CDL-A req. 417-962-2354 www.wdtnll.com

DRIVERS:LOCAL
Delivery Drivers Home EVERY Night! Excellent Pay, Benefits & Bonuses. CDL-A required. Available position-Apply@apply.labattfood.com



General Help Wanted

General Help Wanted

Deer Creek of Wimberley is hiring

Full Time CNA
Double Weekends (Shift Differential)
Full Time CNA
2p-10p (Shift Differential)

Please apply in person
555 Ranch Rd. 3237
Wimberley, TX. 78676

General Help Wanted

General Help Wanted

Hill Country MHDD Center
HILL COUNTRY MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES CENTERS
Children's Mental Health Recovery Coach
Hill Country Mental Health and Developmental Disabilities seeking a Qualified Mental Health Professional for their Full-Time Recovery Coach Position. Candidate must possess a Bachelor's Degree in a Human Services Field. Mental Health / IDD Experience Preferred. \$16.34 per hour / \$34K Annual with Excellent Benefits.
Apply online at www.hillcountry.org
Hill Country MHDD Centers is an EOE

General Help Wanted

General Help Wanted

Hill Country MHDD Center
HILL COUNTRY MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES CENTERS
Community Service Aide III
Hill Country MHDD Centers now hiring Full & Part Time CSAs for their Hays Location - 1200 North Bishop St. San Marcos, TX. This is an excellent opportunity for recent graduating seniors OR jobseekers passionate about working

Rd to Haschke to River Rapids watch for signs.



Misc. Merchandise

VINTAGE FLOWER
Handmade vintage Totes and bags 512-660-1203



Homes For Sale

IN THE CITY OF WIMBERLEY
a beautiful two story house for sale on 4 acres 3 bedrooms, 3 bath, open kitchen, den and playroom. Wrap around large porch, with outdoor kitchen, covered sitting area great for entertaining, 1 block from the Blanco River, One of the last huge horse barns in the city. Paved driveway, fenced completely for animals, great soil for planting no rocks. 430 Savage Lane. 512 557 6259 Wayne

Free Items

AS IS Mobile Home-Deer Hunting Cabin
Free for haul off-210-313-4920

Garage Sales

ESTATE SALE
Wimberley Owners lived years overseas so big

General Help Wanted



TexSCAN Week of March 18, 2018

ACREAGE

20.2 acres, Duval County, south Texas brush country. Deer, hogs, and quail. \$4,035 down, \$668/mo. (9.9% 30 years). Larger tracts available. 866-286-0199. www.texastxcountry.com.

AUCTION

Karnes City - Annual Long Live Cowboys Special Female Replacement Sale, Sat, March 24 at noon. 400+ females. Karnes City Auction, Inc. 830-623-2855, 1918 Hwy. 80, Karnes City, TX. www.karnescityauction.com.

ADOPTION

Happy couple wish to adopt - endless love, laughter and opportunity. Call or text anytime. Expenses Paid. Heather and Matt 732-397-3117.

CAREER TRAINING

Airline Mechanic Training - Get FAA certification. Approved for military benefits. Financial Aid if qualified. Job placement assistance. Call Aviation Institute of Maintenance, 800-473-4102.

FINANCE

Receiving payments from real estate you sold? Get cash now! Call Steve: 888-870-2243. www.SteveCashesNotes.com.

EVENT

IngleSide - Round Up Days, March 23-24, N.O. Simons Park, IngleSide, TX. Rides, games, food, live entertainment, \$6 Admission. Presented by IngleSide Chamber of Commerce.

Texas Press Statewide Classified Network

Ho For

2/2 WIM FULLY F Minutes 1+ acre Sno Wel No Pets, lease i Water & Tenant p cable \$2100 \$2100 512-2

CABIN COUN'
Ri 2/1 WIS the ju No s \$75 512-7

Apart For

ONE I FREE - Move 1 BR \$1 \$935, i \$1035 kilts & bath i Stainl appliance count Pet fi Quiet, cor Country Blanc Apartm Jones A TX. 512-

General Help V



TexSCAN Week of March 18, 2018

OIL AND GAS RIGS

We buy oil, gas & mineral rights. Buy and producing including non-Part Interest (NPI). Provide us your de offer evaluation. 806-620-1422, Lubbock, TX 79408-1800.

TRUCK DRIVE

Be Your Own Boss! Get Paid to see the Drive-Away is looking for CDL D Trucks! Apply Online at www.quali or call 574-642-2023.

SAWMILLS

Sawmills from only \$4,997.00 - Money with your own handmill - dimension. In stock ready to ship! www.NorwoodSawmills.com. 1 Ext.300N.

TV/INTERNE

DISH TV \$59.99 For 190 Channels Speed Internet. Free Installation, s Included, Free Voice Remote. Some n Call 877-625-4980.

WANTED

FREON R12 WANTED: Certified CASH for R12 cylinders or cases of 9169, www.refrigerantfinders.com.

Sandra Floyd

From: Shawn Cox
Sent: Monday, April 9, 2018 11:08 AM
To: Sandra Floyd
Subject: FW: Another C3 on the Square?

FYI...

From: Pat Bruns [REDACTED]
Sent: Monday, April 9, 2018 11:01 AM
To: Shawn Cox <Scox@cityofwimberley.com>
Subject: FW: Another C3 on the Square?

I agree with Pam Showalter in the email below. Please don't let our city be at the mercy of just any business that wishes to change the character of our village square.
Thank you

Please call me with any questions - Direct [REDACTED]

PLEASE READ: The **Texas Real Estate Commission** requires all real estate licensees to give the **Information About Brokerage Services (IABS)** and the **Consumer Protection Notice (CPN)** to prospective buyers, tenants, sellers and landlords.
To review these notices click on the links here [IABS](#) and [CPN](#)

Respectfully,
Pat Bruns, REALTOR
AVALAR TEXAS REAL ESTATE
111 Old Kyle Rd, Suite 212
Wimberley, TX 78676
DIRECT [REDACTED]
www.PatSellsHomesInTexas.com

Jeremiah 29:11 "For I know the plans I have for you," declares the LORD, "plans to prosper you and not to harm you, plans to give you hope and a future." Thanks for the reminder Ted!!

—

From: Pam Showalter [mailto:[REDACTED]]
Sent: Sunday, April 08, 2018 12:29 PM
To: undisclosed-recipients:
Subject: Another C3 on the Square?

Good morning --

The purpose of this message is to alert you that the property located where Santa Fe Connection used to be is coming before the Planning and Zoning Commission (P&Z) on Thursday at 6pm (Item E on the agenda, below).

The property owner is requesting a change to their zoning classification from C-2 (Moderate Impact) to C-3 (High Impact).

I intend to speak against such a zoning change, and will suggest the applicant instead create a Wimberley Planned Development District (WPDD) for the following reasons.

Zoning classifications such as C-3 "go with the land", which means that a future buyer may place on that property any approved use in C-3. To visualize the impact such a change could have on Wimberley you have to imagine that ten years from now someone from out of state, who has never set foot in our town, buys the land with the simple intent of putting on that property the most intense use permitted in that zone. There are 21 approved land uses in C-3, including large medical facilities/hospitals, parking garages, and cross-country truck companies. While it may seem silly to imagine anyone placing a trucking company on that site, if the owner wished to do so neither the people of Wimberley nor their elected representatives would legally be able to stop them.

If the rumor I heard that the property owner wishes to place a restaurant on the property is true, their desire for a C-3 is understandable because an approved use within that zoning classification is: Eating Establishments: sit-down (not allowed in their current C-2 zone). Again, if the restaurant rumor is true, this situation is perfect for a WPDD. Quoting from the definition of a WPDD in the zoning ordinance, "One of the key objectives of [a WPDD] . . . is to ensure the continuation of the eclectic, mixed-use pattern which characterizes the Wimberley Valley. Toward that end, WPDDs shall be allowed in all planning areas and shall be used to allow otherwise incompatible uses to be sited side by side. The WPDD will be the Planning and Zoning Commission tool of choice to ensure that this chapter does not adversely impact the historical growth patterns of the city."

The city's historical growth pattern is an important part of the City's Code of Ordinances. Section 155.023 (C) (H) *Land use policies*, states: "The goal of these land use policies is to protect and improve the city as it exists today and to prevent degradation of the traditional character of the city. As a major policy, the Planning and Zoning Commission and the City Council will not support any suburbanization of land uses, strip commercial development, dominant single-use districts, or developments that are out of character or scale with the historic development pattern of the city." To further protect the Square, Section 155.091 *Village Center Overlay District* (see dotted area on the map, below) was created, whose purpose is: ". . . to protect, perpetuate, and enhance the character, scale, and general appearance of development within and surrounding the historic center of the city known as the Wimberley Square, and its contiguous environs." A cross-country truck company (again, a worse case scenario but within the realm of possibility) would not be in character with the city's historical growth pattern.

I have other concerns about putting another C-3 so close to the Square (vis a vis the citizens' Comprehensive Plan), but I'm trying to keep this email short. I do ask that if you agree with my concerns, please join me by emailing a letter to the City Administrator (Shawn Cox; scox@cityofwimberley.com), and ask him to forward your letter to all P&Z members. If you are free, please join me to speak at the P&Z meeting. Should P&Z grant the C-3 change, the application will then have to be approved by Council at a later meeting, giving you a second opportunity to write to all of Council and express your opinion.

Best regards to all,

Pam

(FYI, also on the agenda you will notice Item C, regarding a request for a Conditional Use Permit to allow a liquor store across the street from the property described above. Because a CUP is not "transferable" I don't intend to speak against that request.

Sandra Floyd

From: Shawn Cox
Sent: Wednesday, April 11, 2018 5:57 PM
To: Sandra Floyd
Subject: FW: Zoning of Santa Fe Connection property

FYI

From: Sharon Reece [REDACTED]
Sent: Wednesday, April 11, 2018 4:41 PM
To: Shawn Cox <Scox@cityofwimberley.com>
Subject: Zoning of Santa Fe Connection property

Steve,

I understand that there is interest in re-zoning this property to C-3, or High Impact.

We do NOT need a high impact location there. The area is already too congested on weekends and our town does not need to look like downtown San Marcos.

Please carefully consider and forward this letter to all the Planning and Zoning Commission.

Thank you,

Sharon Reece,
Lovin' Music In Wimberley!

Cell: [REDACTED]

Home: [REDACTED]
[REDACTED]

Sandra Floyd

From: Shawn Cox
Sent: Wednesday, April 11, 2018 5:58 PM
To: Sandra Floyd
Subject: FW: File No. ZA-18-002; Wimberley RR 12 LLC's zoning application - OPPOSITION

FYI

From: Old Mill Store [REDACTED]
Sent: Wednesday, April 11, 2018 3:47 PM
To: Shawn Cox <Scox@cityofwimberley.com>
Subject: File No. ZA-18-002; Wimberley RR 12 LLC's zoning application - OPPOSITION

Planning and Zoning Commission,

I am a downtown property owner just north of the referenced location and am writing to express my opposition to the requested change from the property's current zoning classification of C-2 (Moderate Impact) to a C-3 (High Impact).

Without a specific land use being proposed it is inappropriate to give this High Impact zoning in the City Center Overlay District. Applicant should come back to the City for a zoning change when it has a proposed land use. The appropriate vehicle for this would likely be a WPDD.

Please share my opposition to the Commissioners.

Thank you,

Stephen Klepfer
Randa Ryan

The Old Mill Store
Gallery On The Square
Wimberley Guitar Shop

Sandra Floyd

From: Sarah Barlow <[REDACTED]>
Sent: Wednesday, April 11, 2018 10:22 PM
To: Shawn Cox; Sandra Floyd
Subject: Subject: File No. ZA-18-002; Wimberley RR 12 LLC's zoning application

I am a property owner with 200 feet of the above referenced location and writing to express my opposition to the requested change from the property's current zoning classification of C-2 (Moderate Impact) to a C-3 (High Impact). We will be unable to attend the P&Z meeting due to a death in the family, but wish our opposition to the request to be on record.

Steve & Sarah Barlow
The Cedar Chest
13915 Ranch Road 12
Wimberley, TX 78676

Sent from [Mail](#) for Windows 10

Sandra Floyd

From: Kevin Fowler <[REDACTED]>
Sent: Monday, April 16, 2018 9:01 AM
To: Sandra Floyd
Subject: 13900 RR12

To whom it may concern,

I am the owner of the Quarter Shops in downtown Wimberley. I would like to let it be known that I am in favor of the property at 13900 RR 12 being rezoned from C-2 to C-3. As a fellow property owner in the downtown area I know how constraining the lower C-1 and C-2 zoning can be on property owners. Thank you

Kevin Fowler

Sent from my iPhone

Name: Robinette McCullough
Address: 101-A 5083 Wimberley Square
Phone: [REDACTED]
Email:

To Whom It May Concern:

I am sending this letter to show my support in favor of case ZA-18-002, an application to change the zoning from Commercial-Moderate Impact (C-2) to Commercial-High Impact (C-3) for property located at 13900 RR12, Wimberley, Hays County, Texas.

My name is Robinette McCullough and I
own Wimberley Cafe.

There are other C-3 zones within feet of aforementioned property, one approved as recently as January of this year. This lot has 29 parking spaces, which the owner shares selflessly among the adjoining businesses, and is already designated a Zone 5, which should already equate to a C-3 zoning. His wish is to correct this error and provide more opportunities to bring people to our little town, and keep it economically healthy.

The owner, Phil Collins, has owned the property for 12 years, and has been an upstanding and involved member of the Wimberley Community. He truly cares about keeping Wimberley "Wimberley", so much so that he stated at the P&Z meeting that he would be willing to include restrictions in this property's deed to settle any fears of what this property could potentially become in the future.

Again, I express my favor and support for this case. Thank you for your time.

Robinette McCullough

Sincerely,

Name: Shari Miller
Address: 14010 RR 12 Wimberley
Phone: [REDACTED]
Email:

To Whom It May Concern:

I am sending this letter to show my support in favor of case ZA-18-002, an application to change the zoning from Commercial-Moderate Impact (C-2) to Commercial-High Impact (C-3) for property located at 13900 RR12, Wimberley, Hays County, Texas.

My name is Shari Miller, and I
own Rancho Deluxe.

There are other C-3 zones within feet of aforementioned property, one approved as recently as January of this year. This lot has 29 parking spaces, which the owner shares selflessly among the adjoining businesses, and is already designated a Zone 5, which should already equate to a C-3 zoning. His wish is to correct this error and provide more opportunities to bring people to our little town, and keep it economically healthy.

The owner, Phil Collins, has owned the property for 12 years, and has been an upstanding and involved member of the Wimberley Community. He truly cares about keeping Wimberley "Wimberley", so much so that he stated at the P&Z meeting that he would be willing to include restrictions in this property's deed to settle any fears of what this property could potentially become in the future.

Again, I express my favor and support for this case. Thank you for your time.

Sincerely,

Shari Miller

Name: Wall Street Western

Address: 14012 Ranch Road 12

Phone: [REDACTED]

Email: wallstwestern@gmail.com

To Whom It May Concern:

I am sending this letter to show my support in favor of case ZA-18-002, an application to change the zoning from Commercial-Moderate Impact (C-2) to Commercial-High Impact (C-3) for property located at 13900 RR12, Wimberley, Hays County, Texas.

My name is Jacque Masu, and I
owner of WSW

There are other C-3 zones within feet of aforementioned property, one approved as recently as January of this year. This lot has 29 parking spaces, which the owner shares selflessly among the adjoining businesses, and is already designated a Zone 5, which should already equate to a C-3 zoning. His wish is to correct this error and provide more opportunities to bring people to our little town, and keep it economically healthy.

The owner, Phil Collins, has owned the property for 12 years, and has been an upstanding and involved member of the Wimberley Community. He truly cares about keeping Wimberley "Wimberley", so much so that he stated at the P&Z meeting that he would be willing to include restrictions in this property's deed to settle any fears of what this property could potentially become in the future.

Again, I express my favor and support for this case. Thank you for your time.

Sincerely,

Jacque Masu

Name:

Address:

Phone: [REDACTED]

Email: anniejamesboutique@gmail.com

To Whom It May Concern:

I am sending this letter to show my support in favor of case ZA-18-002, an application to change the zoning from Commercial-Moderate Impact (C-2) to Commercial-High Impact (C-3) for property located at 13900 RR12, Wimberley, Hays County, Texas.

My name is Kellie Duckett, and I
own Annie James Boutique.

There are other C-3 zones within feet of aforementioned property, one approved as recently as January of this year. This lot has 29 parking spaces, which the owner shares selflessly among the adjoining businesses, and is already designated a Zone 5, which should already equate to a C-3 zoning. His wish is to correct this error and provide more opportunities to bring people to our little town, and keep it economically healthy.

The owner, Phil Collins, has owned the property for 12 years, and has been an upstanding and involved member of the Wimberley Community. He truly cares about keeping Wimberley "Wimberley", so much so that he stated at the P&Z meeting that he would be willing to include restrictions in this property's deed to settle any fears of what this property could potentially become in the future.

Again, I express my favor and support for this case. Thank you for your time.

Sincerely,



Name:

Address:

Phone:

Email:

To Whom It May Concern:

I am sending this letter to show my support in favor of case ZA-18-002, an application to change the zoning from Commercial-Moderate Impact (C-2) to Commercial-High Impact (C-3) for property located at 13900 RR12, Wimberley, Hays County, Texas.

My name is Ken Strange, and I

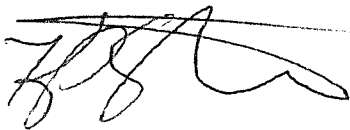
am Director of Wimberley EMS.

There are other C-3 zones within feet of aforementioned property, one approved as recently as January of this year. This lot has 29 parking spaces, which the owner shares selflessly among the adjoining businesses, and is already designated a Zone 5, which should already equate to a C-3 zoning. His wish is to correct this error and provide more opportunities to bring people to our little town, and keep it economically healthy.

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Again, I express my favor and support for this case. Thank you for your time.

Sincerely,



Name:

Address:

Phone:

Email:

To Whom It May Concern:

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My name is Wade Strange, and I

OWN The Med Spa @ 210 Masonic Lodge Rd

There are other C-3 zones within feet of aforementioned property, one approved as recently as January of this year. This lot has 29 parking spaces, which the owner shares selflessly among the adjoining businesses, and is already designated a Zone 5, which should already equate to a C-3 zoning. His wish is to correct this error and provide more opportunities to bring people to our little town, and keep it economically healthy.

The owner, Phil Collins, has owned the property for 12 years, and has been an upstanding and involved member of the Wimberley Community. He truly cares about keeping Wimberley "Wimberley", so much so that he stated at the P&Z meeting that he would be willing to include restrictions in this property's deed to settle any fears of what this property could potentially become in the future.

Again, I express my favor and support for this case. Thank you for your time.

Sincerely,



Name: Christi Johnson
Address: 100 Oak Drive, Suite 200, Wimberley, TX
Phone: [REDACTED]
Email: papahoospopcorn@yahoo.com

To Whom It May Concern:

I am sending this letter to show my support in favor of case ZA-18-002, an application to change the zoning from Commercial-Moderate Impact (C-2) to Commercial-High Impact (C-3) for property located at 13900 RR12, Wimberley, Hays County, Texas.

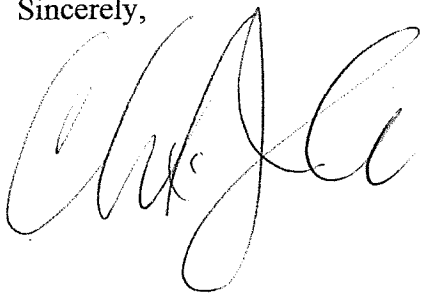
My name is Christi Johnson, and I
own Papa Hood's Popcorn.

There are other C-3 zones within feet of aforementioned property, one approved as recently as January of this year. This lot has 29 parking spaces, which the owner shares selflessly among the adjoining businesses, and is already designated a Zone 5, which should already equate to a C-3 zoning. His wish is to correct this error and provide more opportunities to bring people to our little town, and keep it economically healthy.

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Again, I express my favor and support for this case. Thank you for your time.

Sincerely,



Name:

Address:

Phone:

Email:

To Whom It May Concern:

I am sending this letter to show my support in favor of case ZA-18-002, an application to change the zoning from Commercial-Moderate Impact (C-2) to Commercial-High Impact (C-3) for property located at 13900 RR12, Wimberley, Hays County, Texas.

My name is Wayne McQuail, and I

Lease 13890 A & B

There are other C-3 zones within feet of aforementioned property, one approved as recently as January of this year. This lot has ⁵²~~29~~ parking spaces, which the owner shares selflessly among the adjoining businesses, and is already designated a Zone 5, which should already equate to a C-3 zoning. His wish is to correct this error and provide more opportunities to bring people to our little town, and keep it economically healthy.

The owner, Phil Collins, has owned the property for 12 years, and has been an upstanding and involved member of the Wimberley Community. He truly cares about keeping Wimberley "Wimberley", so much so that he stated at the P&Z meeting that he would be willing to include restrictions in this property's deed to settle any fears of what this property could potentially become in the future.

Again, I express my favor and support for this case. Thank you for your time.

Sincerely,

Wayne McQuail

ORDINANCE NO. 2018-XX

AN ORDINANCE OF THE CITY OF WIMBERLEY, AMENDING SECTION 155 (ZONING), APPENDIX F, OF THE CODE OF WIMBERLEY, DESIGNATING GEOGRAPHIC BOUNDARIES FOR A PARTICULAR ZONING DISTRICT AND CLASSIFICATION FOR PROPERTY LOCATED AT 13900 RANCH ROAD 12, WIMBERLEY, HAYS COUNTY, TEXAS, DESIGNATING SUCH PROPERTY FROM COMMERCIAL MODERATE IMPACT (C-2) TO COMMERCIAL HIGH IMPACT (C-3); AND PROVIDING FOR THE FOLLOWING: DELINEATION ON ZONING MAP; SEVERABILITY; EFFECTIVE DATE AND PROPER NOTICE AND MEETING.

WHEREAS, the regulations established by Section 155 (Zoning), as amended, (the “Code”) are specifically designed to lessen congestion in the streets; secure safety from fire, panic, and other dangers; promote health and general welfare; provide adequate light and air; prevent the overcrowding of land; avoid undue concentration of population; facilitate the adequate provision of transportation, water, sewers, schools, parks, and other public facilities; and

WHEREAS, in the course of adopting the regulations established by the Code, the Planning and Zoning Commission and City Council gave careful consideration to the unique qualities of the City, including the demographics of its inhabitants, the community’s history, geography, natural resources, existing structures, property values, workforce, education levels, commercial base, surrounding communities, public facilities and infrastructure; and

WHEREAS, the regulations established by the Code have been adopted with reasonable consideration, among other things, for the character of each district and its peculiar suitability for the particular uses; with a view of conserving property values and encouraging the most appropriate use of land in the City; and

WHEREAS, the regulations established by the Code are in furtherance of the public interest, for the good government, peace, order, trade and commerce of the City and necessary and proper for carrying out the power granted by law to the City; and

WHEREAS, the following enactments are a valid exercise of the City’s broad police powers and based upon the City’s statutory regulatory authority, including but not limited to Texas Local Government Code Chapters 51, 52, and 211; and

WHEREAS, the City Council and Planning and Zoning Commission have carefully reviewed the requirements of the City’s Code of Ordinances and have concluded that the requested zoning designation is consistent with established City policy and in the public interest; and

WHEREAS, parties in interest and citizens have had an opportunity to be heard at public hearings conducted by the Planning and Zoning Commission and City Council, notice of which was published in the City’s official newspaper before the 15th day before the first public hearing and agendas for each hearing were posted at City Hall more than seventy-two (72) hours prior to the respective hearing.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
WIMBERLEY, HAYS COUNTY, TEXAS:**

ARTICLE I. AMENDMENT

Section 155 (Zoning) of the Code of Wimberley is hereby amended by adding the following language to Appendix F to read as follows, which shall be incorporated into and made part of Section 155 (Zoning), and given full weight and effect:

Appendix F: Zoning District Designations

The City Council of the City of Wimberley has divided the City into the zoning districts as follows. The applicable use, height, area and development regulations adopted by the City shall apply to each district. The following geographic boundaries of the zoning districts for the properties listed below are hereby established as follows:

THAT the 0.875 acres out of the Amasa Turner Survey, Abstract No. 461, in Wimberley, Hays County, Texas, commonly known as 13900 RR12, and more particularly described on the attached Exhibit "A", incorporated by reference for all purposes, is hereby designated from Commercial-Moderate Impact (C-2) to Commercial-High Impact (C-3) zoning classification.

Except as expressly amended herein, Appendix F shall remain in full force and effect.

ARTICLE II. ZONING DISTRICT MAP

The official Zoning District Map shall be revised to reflect the zoning district boundary established by this Ordinance.

ARTICLE III. SEVERABILITY

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this Ordinance be severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance, and the remainder of this Ordinance shall be enforced as written.

IV. EFFECTIVE DATE

This ordinance shall take effect immediately from and after its passage and publication as may be required by governing law.

ARTICLE V. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code, and the Standard Zoning Enabling Act, Chapter 211 of the Texas Local Government Code. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

PASSED AND APPROVED this 19th day of April 2018, by (Ayes) to (Nays) (Abstain)
vote of the City Council of the City of Wimberley, Texas.

CITY OF WIMBERLEY

BY: _____
Herschel 'Mac' McCullough, Mayor

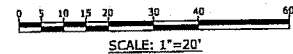
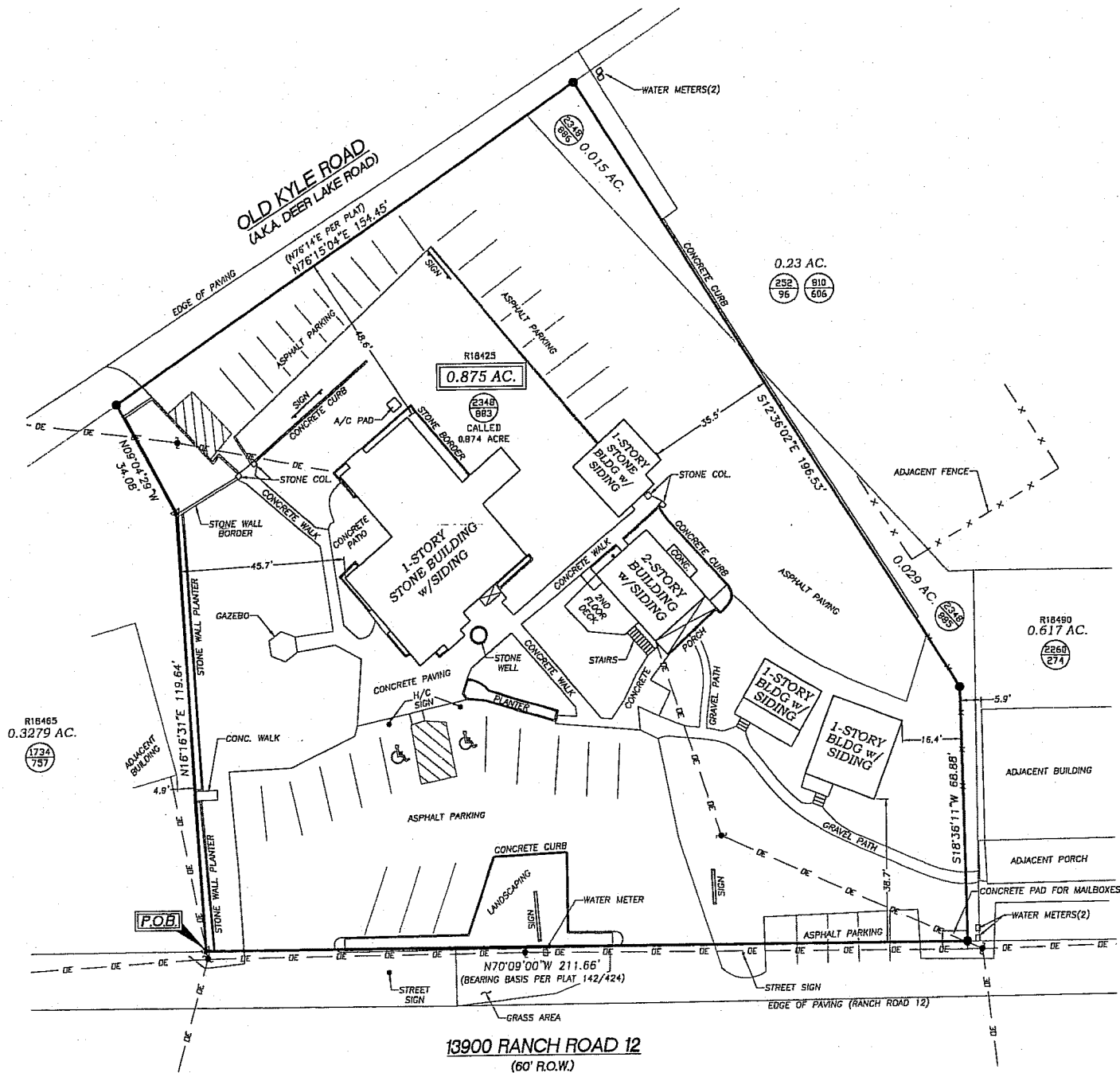
ATTEST:

Laura Calcote, City Secretary

APPROVED AS TO FORM:

City Attorney

0.875 ACRE OF LAND
OUT OF THE AMASA TURNER SURVEY No. 1, ABSTRACT No. 461,
(BEING PART OF LOT 10, CHARLES & OLLIE OLDHAM SUBDIVISION)
HAYS COUNTY, TEXAS



LEGEND

- 1/2" IRON ROD FOUND
- ⊕ IRON PIPE FOUND-UNLESS NOTED
- ⊙ 1/2" IRON ROD SET-DRIFTWOOD SURVEYING
- SERVICE OR UTILITY POLES
- DE OVERHEAD UTILITIES
- EASEMENT
- x - x - FENCE
- SETBACK

VOL. HAYS COUNTY
PG. PLAT RECORDS

VOL. HAYS COUNTY OFFICIAL
PG. PUBLIC RECORDS

RXXXXX HAYS COUNTY PROPERTY
IDENTIFICATION NUMBER

NOTES

THIS SURVEY REFERENCES TITLE COMMITMENT No. 0815568-WM, DATED 10/6/2008, PROVIDED BY INDEPENDENCE TITLE COMPANY.

A METES AND BOUNDS DESCRIPTION ACCOMPANIES THIS SURVEY (SEE PAGE 2).

SUBJECT TRACT DOES NOT APPEAR TO BE IN THE 100 YEAR FLOODPLAIN ACCORDING TO F.I.R.M. PANEL #48200C 0355 F, DATED 9/2/2005. FLOOD AREAS/ELEVATIONS CAN ONLY BE VERIFIED BY ELEVATION CERTIFICATE.

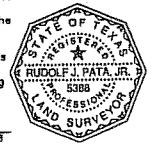
THIS TRACT LIES WITHIN THE CORPORATE LIMITS OF THE CITY OF WIMBERLEY AND IS SUBJECT TO ITS ORDINANCES.

A POWERLINE EASEMENT EXISTS FOR TEXAS POWER AND LIGHT COMPANY AS RECORDED IN VOL. 117, PG. 517, H.C.D.R.

SURVEYOR'S CERTIFICATION

This survey is certified to Independence Title Company, and buyer, Philip Collins and/or assigns. I hereby certify to the aforesaid parties, as of the date set forth below that a careful survey was made on the ground, under my supervision, of the tract of land described herein, and that said survey substantially complies with the current Texas Society of Professional Surveyors Standards & Specifications for a Category Ia, Condition II Land Survey, and that said property has obutting access to and from a public roadway.

DATE: 10/6/08
 SURVEYOR: RUDOLF J. PATA, JR. TX. RPLS #5388



Driftwood Surveying Professional Land Surveyors - Surveying the Hill Country		DATE: 10/6/08 FIELD CREW: RC/EG DRAWN: DGB CHECKED: RJP PROJ. NO: HC20208 DWG. NAME: TITLE
P.O. Box 379 Wimberley, TX 78876 PH. (512) 847-7222 FAX (512) 847-7372		REVISIONS DATE
0.875 ACRE OF LAND OUT OF THE AMASA TURNER SURVEY No. 1, A-461, (BEING PART OF LOT 10, OLDHAM SUBDIVISION) HAYS COUNTY, TEXAS		
CLIENT: COLLINS		Page 1 of 2

City Council Agenda Form



Date Submitted: April 17, 2018

Agenda Date Requested: April 19, 2018

Project/Proposal Title: DISCUSSION AND
POSSIBLE ACTION - TML MultiState IEBP Rerate
Notice (2017-2018) - City Secretary Laura
Calcote

Council Action Requested:

- ☐ Ordinance
- ☐ Resolution
- ☒ Motion
- ☒ Discussion

Project/Proposal Summary:

The Texas Municipal League (TML) MultiState Intergovernmental Employee Benefits Pool Rerate Notice and Benefit Verification Form has been submitted to the City of Wimberley for Plan Year 2017-2018. The notice has been included in this packet for review. The new plan will take effect July 1, 2018. Open enrollment will run from mid-May to mid-June. Currently, the City pays 100 percent (100%) of employee health benefits but offers no further compensation for spouses/dependents/families.

The plan for 2017-2018 is the same as the 2016-2017 plan, as far as in-network (\$700), out-of-network (\$1,000) deductibles, and office visit co-pays (\$30) are concerned. All rates for employees, spouses, children and families have significantly increased, due to the number of claims being made within the group. This has been seen consistently across the board when it comes to insurance rates. City staff met with our TML Benefit Specialist to explore new plan options besides the one provided in this packet. However, we decided as a group the current PPO provided was still the best option for now.

Staff recommends approval of the TML MultiState IEBP rerate notice for Plan Year 2017-2018.



TML MultiState Intergovernmental Employee Benefits Pool Rerate Notice and Benefit Verification Form

Wimberley

Original

Plan Year 2017-2018 (12 Months)

Rates are subject to change if there is any legislation passed during the plan year affecting benefits.
Supplemental benefits cannot be accessed without accessing the TML MultiState IEBP Medical Benefit Plan

Medical

Employer Group Medical Plan

<u>Plan</u>	<u>Benefit Percent</u>	<u>In Net Ded</u>	<u>Out Net Ded</u>	<u>In Net OOP</u>	<u>Office Visit</u>	<u>XRay & Lab in OV</u>	<u>Rates</u>	<u>Current</u>	<u>New</u>
P85-75-40-Mac A	80/50	\$750	\$1000	\$4000	\$30	No	Employee:	\$577.44	\$692.94
							Spouse:	\$748.00	\$897.60
							Child(ren):	\$438.86	\$526.64
							Family:	\$1,328.10	\$1,593.72

Dental IV

	<u>Current Rate</u>	<u>New Rate</u>
Employee:	\$28.44	\$28.44
Spouse:	\$38.38	\$38.38
Child(ren):	\$32.66	\$32.66
Family:	\$56.80	\$56.80

Vision B

	<u>Current Rate</u>	<u>New Rate</u>
Employee:	\$9.00	\$9.00
Family:	\$18.00	\$18.00

Calendar Year Pre-65 Retiree Medical

No Pre-65 Retiree Medical Coverage

Calendar Year Pre-65 Retiree Dental

No Pre-65 Retiree Dental Coverage

Calendar Year Pre-65 Retiree Vision

No Pre-65 Retiree Vision Coverage

LTD

No LTD Coverage

STD

No STD Coverage

Basic Life and AD&D: Plan 31 (2xBAE, Max \$200,000)

	<u>Current Rate</u>	<u>New Rate</u>
Life:	\$0.480	\$0.480
AD&D:	\$0.035	\$0.035

Dependent Life: Plan 3 (\$10,000/\$2,000)

<u>Current Rate</u>	<u>New Rate</u>
\$2.76 per dependent unit	\$2.76 per dependent unit

Voluntary AD&D

	<u>Current Rate</u>	<u>New Rate</u>
Employee	\$0.035 per \$1000	\$0.035 per \$1000
Family	\$0.058 per \$1000	\$0.058 per \$1000

Additional Employee Life and AD&D

<u>Age of Employee</u>	<u>Current Rate per \$1000</u>	<u>New Rate per \$1000</u>
Under 30	0.061	0.061
30 - 34	0.069	0.069
35 - 39	0.100	0.100
40 - 44	0.130	0.130
45 - 49	0.198	0.198
50 - 54	0.332	0.332
55 - 59	0.595	0.595
60 - 64	0.913	0.913
65 - 69	1.513	1.513
70 and over	2.431	2.431

Basic & Additional Retiree Life

No Basic & Additional Retiree Life Coverage

Continuation of Coverage (COC)

Yes

Benefit Waiting Period

Medical: None

Life: None

Medical Network

Choice Plus

Flex, HRA, HSA & RRA

Flex Admin

No

HRA Admin

No

HSA Admin

No

RRA Admin

No

Select one of the following options for Flex:

☐ Debit Card Flex (\$3.70 per participant per month)

☐ Paper Flex (\$5 per participant per month)

Select one or all of the following options for HRA, HSA & RRA:

☐ HRA (\$3.70 per participant per month - debit card only)

☐ Qualified HSA (\$3.70 per participant per month - debit card only)

☐ RRA (\$3.70 per participant per month - debit card only)

If employer accesses Debit Card Flex and/or HRA, HSA or RRA, only one charge of \$3.70 per participant per month will be incurred.

Medication Therapy Management Program

MAC A Plan: If a brand name drug is dispensed and a generic alternate drug exists, the **Covered Individual pays the difference between the brand name and generic price** in addition to the appropriate copayment for the brand name. The **cost difference between the brand name and generic price does not apply to any individual deductibles or out of pocket amounts**. The MAC differential applies to all prescriptions purchased through this program when a generic alternate is available.

MAC C Plan: If a brand name drug is dispensed and a generic alternate drug exists, the Covered Individual pays the appropriate brand copay.

Lessor of Benefit: Through the OptumRx network contract, the covered individual's out of pocket expense is managed by the pharmacy network agreement that the covered individual will receive the most advantageous pricing. This would be determined by the lessor of pharmacy contracts, Usual & Customary cost (U&C), copayments or the discounted cost the covered individual would be charged. Due to the lessor of Benefit the OptumRx Reportal will be an important price transparency resource to ensure covered individual is purchasing the prescription from the most cost effective pharmacy.

Prescribed Over the Counter No Cost Share Prescriptions

Covered Individual Out of Pocket (OOP)			
Prescribed (Doctor Ordered) Over the Counter Alternates and Prescription Networks	Retail: (up to 34 day supply max unless noted otherwise)	Mail/Maintenance: (up to 90 day dispensement)	SpecialtyRx/Biotech/Biosimilar: (up to 34 day dispensement)
- Smoking Cessation (Nicorette Gum, Nicotine Replacement Lozenge, Nicotine Replacement Patch, Nicotrol Inhaler, Nicotrol Nasal Spray), Quantity Limit - six (6) months per plan year - Aspirin, Folic Acid, Fluoride Chemoprevention Supplements, Fluoride chew tablets, drop (not toothpaste, rinses) children age zero to five (0-5) years, Iron Deficiency Supplements, Vitamin D supplementation to prevent falls in community-dwelling adults age sixty-five (65) years and older who are at an increased risk for falls (per prescription), and Bisacodyl EC Tab/Magnesium Citrate Sol/PEG 3350 (generic Miralax) adults age fifty to seventy-five (50-75) (bowel preparation for colonoscopy)	\$0.00	N/A	N/A

Retail and Mail Order Covered Individual Copayments

Covered Individual Out of Pocket (OOP)			
Prescribed Over the Counter Alternates and Prescription Networks	Retail: (up to 34 day supply max unless noted otherwise)	Mail/Maintenance: (up to 90 day dispensement)	SpecialtyRx/Biotech/Biosimilar: (up to 34 day dispensement)
Network Retail: 34 day <u>Non-Cost Share most Generic</u> Dispense	\$5.00 (up to 34 day supply)	N/A	N/A
Network Retail: 90 day <u>Non-Cost Share most Generic</u> Dispense	\$14.00 (35 up to 90 day supply)	\$42.00	
OptumRx Network <u>Non-Cost Share</u> Best Brand/Formulary List	\$43.00	\$129.00	
OptumRx Network <u>Non-Cost Share</u> Non-Best Brand/Non-Formulary List	\$65.00	\$195.00	
OptumRx Network Cost Share	\$120.00	\$360.00	
BriovaRx, The OptumRx Specialty/Biotech Pharmacy	N/A	N/A	\$100.00 (up to 34 day supply)
BriovaRx, The OptumRx Biosimilar Generic Pharmacy	N/A	N/A	\$75.00 (up to 34 day supply)
Prescription Refill Control Standards	75%	70%	

Monthly Employer Subsidy or Defined Contribution Amounts

Due to the employer customization regarding defined contribution amount for employees, part-time employees that meet the definition of an active employee (an Employee who works at least twenty (20) hours per week or is accessing vacation, sick or paid/unpaid Family Medical Leave Act of 1993 (FMLA) and is receiving the same benefits as all other employees) and/or dependents, TML MultiState Intergovernmental Employee Benefits Pool requests the below information to ensure accurate information is maintained in the enrollment, eligibility and billing adjudication system.

Employer Funded Defined Contribution

Dependent Additional Employer Subsidy or Defined Contribution

	<u>Employee</u>		<u>Spouse</u>		<u>Child</u>		<u>Family</u>	
Active Employees	Amount	% of Rate	Amount	% of Rate	Amount	% of Rate	Amount	% of Rate
Employer Subsidy	\$ _____	or _____ %	\$ _____	or _____ %	\$ _____	or _____ %	\$ _____	or _____ %
Employer Defined Contribution	\$ _____		\$ _____		\$ _____		\$ _____	
Retirees	\$ _____	or _____ %	\$ _____	or _____ %	\$ _____	or _____ %	\$ _____	or _____ %

Additional Employer Funding for HRA, FSA or HSA (Example criteria: 100% participation in Employer Fair; Receipt of Healthy Initiative Payment)

HRA \$ _____ Criteria: _____

Employer Contribution to FSA \$ _____ Criteria: _____

Employer Contribution to HSA \$ _____ Criteria: _____

NOTE: If you have funding requirements that cannot be specified in the above form, please contact your Billing & Eligibility Representative.

Signature Section

The undersigned employer hereby acknowledges that for an employee to receive coverage, TML MultiState Intergovernmental Employee Benefits Pool (IEBP) must receive enrollment information within thirty-one (31) days of the commencement of employment regardless of whether the Employer has a waiting or a waiting and orientation period. If an employee is not enrolled within thirty-one (31) days of hire, the employee cannot be added to the Plan until the next Open Enrollment period or a qualifying event occurs.

Employer

Authorized Signature

Date

Printed Name

Title

The entity named on this Rate and Benefit Verification Form desires large claim information as specified in Article 21.49-15 of the Insurance Code in Section 2.(2), to be for individual claims that reach or exceed \$35,000 during the plan year. This information is considered confidential for purposes of Chapter 552 of the Local Government Code.

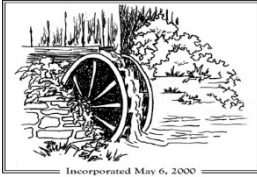
The rates are based on census information five months prior to plan year. If the census changes by more than 10%, TML MultiState IEBP reserves the right to revise rates due to census change and underwriting impact.

Tax ID Number

Authorized Signature

Date

City Council Agenda Form



Date Submitted: April 17, 2018

Agenda Date Requested: April 19, 2018

Project/Proposal Title:

Discuss and Consider Possible Action Regarding the Policies and Procedures Relating to Placement of Temporary Signs at the Wimberley Community Center - City Administrator Shawn Cox

Council Action Requested:

- ☐ Ordinance
- ☐ Resolution
- ☒ Motion
- ☒ Discussion

Project/Proposal Summary:

This item has been carried over from Council's previous meeting on Thursday, April 5. At that meeting Council asked that the Wimberley Community Center Policies & Procedures Relating to Placement of Temporary Signs be amended to prevent the placement of signs in front of the neighboring property (the Thrift Shoppe).

The current policy limits the time(s) signs can be placed on the Community Center's property. The amendment to the policy did not change the time signs could be placed or removed. "Such signage may be put up no earlier than the midnight of the night before the use and signs must be removed no later than one (1) hour following the conclusion of the use." As it relates to this policy, early voting and election day were determined to be two separate uses, and therefore signs should be removed in between the two events.

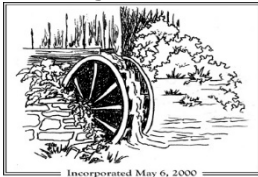
Attached:

- Wimberley Community Center Policies & Procedures Relating to Placement of Temporary Signs (Red-lined)

Wimberley Community Center Policies & Procedures Relating to Placement of Temporary Signs

For purposes of this Policy, Users are defined as those users that have approved Facility rental agreements with the City, or are candidates for political office when the Facility is established as a polling location for election purposes. Users of the Facility may place temporary signage on the grounds, outside the Facility, at locations designated by the City of Wimberley. Designated areas include the landscaped islands in the parking lot and the landscaped area on the south side of the entrance drive. Signs may not be placed past the entrance to the adjacent property (the Thrift Shoppe). Such signage may be put up no earlier than the midnight of the night before the use and signs must be removed no later than one (1) hour following the conclusion of the use. ~~Signs remaining up after the required time of removal shall be removed by the WCC staff and a sign reclamation charge of \$5 per sign shall be levied by the City.~~ No temporary signage shall be permitted on the entrance island to the WCC or on the rock wall on the north side of the entrance (the Winters-Wimberley House side). Signs may be removed by the City at any time if it determines, in its sole discretion, that the sign is a traffic, safety, or other hazard to the public, or is in violation of this Policy.

City Council Agenda Form



Date Submitted: April 17, 2018

Agenda Date Requested: April 19, 2018

Project/Proposal Title:

Discuss and consider possible action to award the engineering services contract for the preparation of the City of Wimberley's HMGP and General Land Office Community Development Block Grant Projects to BEFCO Engineering.

Council Action Requested:

- ☐ Ordinance
- ☐ Resolution
- ☒ Motion
- ☒ Discussion

Project/Proposal Summary:

On December 13th the City of Wimberley sent out a Request for Qualifications (RFQ) for engineering services related to FEMA HMGP & GLO Community Development Block Grant Disaster Recovery Programs. Submittals were to be received by the City on or before December 27th.

The City received three (3) submittals. Interim-City Administrator Paul Parker and Planning & Development Coordinator/GIS Analyst Sandy Floyd worked with Langford Community Management Services, Inc. to score and evaluate the submittals. Based on a review of the submittals, BEFCO Engineering received the highest score.

IF approved these contracts will be funded through the grant programs applied for. There is not expected to be any expenditure of City funds for the work performed.

Attached:

- RFQ Scoring Sheets
- Langford Community Management Services Letter of Recommendation



April 11, 2018

Mayor & City Council
City of Wimberley
221 Stillwater
Wimberley, Texas 78676

RE: Recommendation of Engineering for Hazard Mitigation Grant Program (HMGP) and General Land Office (GLO) Community Development Block Grant Program (CDBG)

Dear Mayor and Council:

The City of Wimberley has completed a Request for Qualifications for engineering services for application(s), design and construction oversight for HMGP project(s), as well as, engineering services for General Land Office Community Development Block Grant program(s). These Qualifications were received, reviewed and scored listing BEFCO Engineering as the highest scoring firm.

The City has received HMGP funds from the Texas Department of Emergency Management (TDEM) for housing elevation and buyouts. Initially, the City worked with a local engineer who offered to assist with the application pro-bono. This engineer at the time worked for MS Engineering which is now MSE GROUP. Once 100% funding for the HMGP project became available, the City learned that the local engineer no longer worked for the firm. After council approval, numerous attempts have been made to have the firm submit a contract, but one has never been received.

With BEFCO's experience with these programs, it is our recommendation that the engineering contract for the HMGP and GLO projects be awarded to BEFCO and authority be approved for Shawn Cox, City Administrator, to negotiate and sign a contract(s) for this work.

Sincerely,

Judy Langford
Langford Community Management Services, Inc.

Engineer/Architect/Surveyor Rating Sheet

Grant Recipient BEFCO

Name of Respondent BRADLEY C. LOEHR

Evaluator's Name PAUL L. PARKER

Date of Rating 2-1-2018

Experience -- Rate the respondent for experience in the following areas:

Comments

<u>Factor</u>	<u>Max.Pts.</u>	<u>Score</u>	
1. Has previously designed this type of projects	20	<u>18</u>	
2. Has worked on federally funded construction projects	10	<u>9</u>	
3. Has worked on projects that were located in this general region.	10		
Note: Location for A/E (Architect/Engineer) may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract. 2 CFR 200.319(b)			
4. Extent of experience in project construction management	20	<u>19</u>	
Subtotal, Experience	<u>60</u>	<u>55</u>	

Work Performance

<u>Factor</u>	<u>Max.Pts.</u>	<u>Score</u>	
1. Past projects completed on schedule	10	<u>9</u>	
2. Manages projects within budgetary constraints	5	<u>5</u>	
3. Work product is of high quality	10	<u>9</u>	
Subtotal, Performance	<u>25</u>	<u>23</u>	

NOTE: Information necessary to assess the respondent on these criteria should be gathered by contacting past/current clients.

Capacity to Perform

<u>Factor</u>	<u>Max.Pts.</u>	<u>Score</u>	
1. Staff Level / Experience of Staff	5	<u>5</u>	
2. Adequacy of Resources	5	<u>5</u>	
3. Professional liability insurance is in force	5	<u>5</u>	
Subtotal, Capacity to Perform	<u>15</u>	<u>15</u>	

TOTAL SCORE

<u>Factor</u>	<u>Max.Pts.</u>	<u>Score</u>	
☐ Experience	60	<u>55</u>	
☐ Work Performance	25	<u>23</u>	
☐ Capacity to Perform	15	<u>15</u>	
Total Score	<u>100</u>	<u>93</u>	

Engineer/Architect/Surveyor Rating Sheet

Grant Recipient TRC
 Name of Respondent CRAIG BELL
 Evaluator's Name PAUL L. PARKER

Date of Rating 2-1-2018

Experience -- Rate the respondent for experience in the following areas:

Comments

<u>Factor</u>	<u>Max.Pts.</u>	<u>Score</u>	
1. Has previously designed this type of projects	20	<u>17</u>	
2. Has worked on federally funded construction projects	10	<u>9</u>	
3. Has worked on projects that were located in this general region.	10		
Note: Location for A/E (Architect/Engineer) may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract. 2 CFR 200.319(b)			
4. Extent of experience in project construction management	20	<u>9</u> <u>18</u>	
Subtotal, Experience	<u>60</u>	<u>53</u>	

Work Performance

<u>Factor</u>	<u>Max.Pts.</u>	<u>Score</u>	
1. Past projects completed on schedule	10	<u>9</u>	
2. Manages projects within budgetary constraints	5	<u>4</u>	
3. Work product is of high quality	10	<u>9</u> <u>22</u>	
Subtotal, Performance	<u>25</u>		

NOTE: Information necessary to assess the respondent on these criteria should be gathered by contacting past/current clients.

Capacity to Perform

<u>Factor</u>	<u>Max.Pts.</u>	<u>Score</u>	
1. Staff Level / Experience of Staff	5	<u>5</u>	
2. Adequacy of Resources	5	<u>5</u>	
3. Professional liability insurance is in force	5	<u>5</u>	
Subtotal, Capacity to Perform	<u>15</u>	<u>15</u>	

TOTAL SCORE

<u>Factor</u>	<u>Max.Pts.</u>	<u>Score</u>	
☐ Experience	60	<u>53</u>	
☐ Work Performance	25	<u>22</u>	
☐ Capacity to Perform	15	<u>15</u>	
Total Score	<u>100</u>	<u>90</u>	

Engineer/Architect/Surveyor Rating Sheet

Grant Recipient THOMHOFF
 Name of Respondent PAUL L. PARKER
 Evaluator's Name PAUL L. PARKER

Date of Rating 2-1-2018

Experience -- Rate the respondent for experience in the following areas:

Comments

<u>Factor</u>	<u>Max.Pts.</u>	<u>Score</u>	
1. Has previously designed this type of projects	20	<u>16</u>	
2. Has worked on federally funded construction projects	10	<u>9</u>	
3. Has worked on projects that were located in this general region.	10		
Note: Location for A/E (Architect/Engineer) may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract. 2 CFR 200.319(b)			
4. Extent of experience in project construction management	20	<u>9</u> <u>17</u>	
Subtotal, Experience	<u>60</u>	<u>51</u>	

Work Performance

<u>Factor</u>	<u>Max.Pts.</u>	<u>Score</u>	
1. Past projects completed on schedule	10	<u>9</u>	
2. Manages projects within budgetary constraints	5	<u>4</u>	
3. Work product is of high quality	10	<u>8</u>	
Subtotal, Performance	<u>25</u>	<u>21</u>	

NOTE: Information necessary to assess the respondent on these criteria should be gathered by contacting past/current clients.

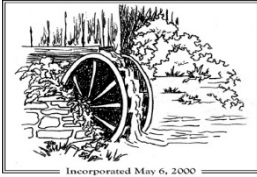
Capacity to Perform

<u>Factor</u>	<u>Max.Pts.</u>	<u>Score</u>	
1. Staff Level / Experience of Staff	5	<u>5</u>	
2. Adequacy of Resources	5	<u>5</u>	
3. Professional liability insurance is in force	5	<u>5</u>	
Subtotal, Capacity to Perform	<u>15</u>	<u>15</u>	

TOTAL SCORE

<u>Factor</u>	<u>Max.Pts.</u>	<u>Score</u>	
☐ Experience	60	<u>51</u>	
☐ Work Performance	25	<u>21</u>	
☐ Capacity to Perform	15	<u>15</u>	
Total Score	<u>100</u>	<u>87</u>	

City Council Agenda Form



Date Submitted: April 17, 2018

Agenda Date Requested: April 19, 2018

Project/Proposal Title: DISCUSSION AND
POSSIBLE ACTION - Grinder Pump - City
Administrator Shawn Cox

Council Action Requested:

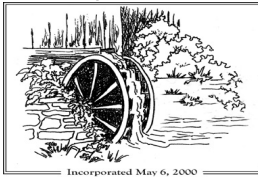
- ☐ Ordinance
- ☐ Resolution
- ☒ Motion
- ☒ Discussion

Project/Proposal Summary:

One out of two grinder pumps located at the Blue Hole Regional Park playscape is not working. The grinder pumps average around 10 years of use, which both are at that mark. Not having one pump working is creating extra strain on the second pump. Wimberley Plumbing has given Parks Director Rebecca Manning a quote for less than \$3,000 for a replacement grinder pump.

Staff recommends approval.

City Council Agenda Form



Date Submitted: April 16, 2018

Agenda Date Requested: April 19, 2018

Project/Proposal Title: Consider granting a ten foot wide easement for underground utility services

Council Action Requested:

- ☐ Ordinance
- ☐ Resolution
- ☒ Motion
- ☒ Discussion

Project/Proposal Summary:

Discuss and consider possible action to grant a ten (10) foot wide underground electric utility easement for 2.997 acres of land that is currently going through the platting and site development process. The easement would consist of 11,704 square feet and run from 501 Old Kyle Road, underground Blue Hole property addressed 13210 RR 12, to the subject tract. Options have been explored and efforts made for alternate routes and none have proven fruitful. Communication has been on-going with the Texas Parks and Wildlife Department, City Parks Director and Planning & Development Services. Utilizing an underground path for an easement does not affect any grant to the Blue Hole Park. City staff recommend approval of the granting of this easement.

RESOLUTION NO. 17-2018

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WIMBERLEY, TEXAS, GRANTING AN EASEMENT AGREEMENT FOR UTILITIES TO BE LOCATED AT 13210 RANCH ROAD 12, WIMBERLEY, HAYS COUNTY, TEXAS, ON A PROPERTY OWNED BY THE CITY OF WIMBERLEY

WHEREAS, Wimberley SLF, LLC has been in negotiations with various property owners to acquire property for the construction, placement and maintenance of electrical connection; and

WHEREAS, it is necessary for Wimberley SLF, LLC to acquire certain easements in connection with ongoing subdivision and site development, one of which is from the City of Wimberley.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WIMBERLEY, TEXAS:

SECTION 1. That the City Council of Wimberley grants the dedication of the easement to Wimberley SLF, LLC to the City, a description of said property being fully set forth in the attached Exhibit "A" for the purposes provided therein.

SECTION 2. The Mayor is hereby authorized to execute the dedication instrument and all related documents on behalf of the City to formalize this acceptance.

PASSED, APPROVED, AND ADOPTED on this 19th day of April, 2018, at a regular meeting of the City Council of the City of Wimberley, Texas, which meeting was held in compliance with the Open Meetings Act, *Tex. Gov't Code*, §551.001, et.seq. at which meeting a quorum was present and voting.

Herschel P. "Mac" McCullough, Mayor

ATTEST:

Laura J. Calcote, City Secretary

APPROVED AS TO FORM:

City Attorney
Denton, Navarro, Rocha & Bernal, P.C.



NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

PUBLIC UTILITY EASEMENT AGREEMENT

THE STATE OF TEXAS §

§

COUNTY OF HAYS §

GRANT OF EASEMENT:

THE CITY OF WIMBERLEY, TEXAS, a Texas general law type A city, with offices located at 221 Stillwater, Wimberley, Hays County, Texas 78676 (“Grantor”), for the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged and confessed, does hereby grant, sell and convey unto the **WIMBERLEY SLF, LLC** (“Grantee”), a Public Utility easement and right-of-way (“Easement”) upon and across the property of Grantor, which is more particularly described on **Exhibit ”A”**, attached hereto and incorporated herein by reference (“Easement Tract”),

TO HAVE AND TO HOLD the same perpetually to Grantee and its successors and assigns, together with the rights, and privileges and on the terms and conditions set forth below; and Grantor, subject to the Exceptions, to Warranty, does hereby covenant and agree to WARRANT AND FOREVER DEFEND title to the Easement herein granted, unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof when the claim is by, through, or under Grantor, but not otherwise, except as to the reservations from conveyance and the exceptions to conveyance and warranty.

Terms and Conditions: The following terms and conditions apply to the Easement granted by this agreement:

1. *Definitions.* For the purposes of this grant of Easement certain terms shall have the meanings that follow:
 - (a) “Holder” shall mean Grantee and Grantee's heirs, successors and assigns who at any time own any interest in the conveyance, subject to the terms of this agreement.
 - (b) “Permitted Improvements” shall mean landscaping or planting of vegetation, driveways and sidewalks; but shall not mean the construction of a building or structure unless such installation or construction is approved in writing by the City Manager or the City Manager’s designee.

(c) "Public Utility" shall mean water, wastewater, electricity, fiber optic, gas, television cable, and telecommunication infrastructure.

2. *Character of Easement.* The Easement granted herein is "in gross," in that there is no "Benefitted Property." Nevertheless, the Easement rights herein granted shall pass to Grantee's successors and assigns, subject to all of the Terms hereof. The Easement rights of use granted herein is irrevocable. The intent of this Easement is to specifically disclaim and negate the Doctrine of Merger for all purposes. The Easement is for the benefit of Holder.
3. *Purpose of Easement.* The Easement shall be used for Public Utility purposes, including placement, construction, installation, replacement, repair, maintenance, relocation, removal, and operation of Public Utility facilities and related appurtenances ("Facilities"), or making connections thereto. The Easement shall also be used for the purpose of providing access for the operation, repair, maintenance, replacement and expansion of the Public Utility facilities and related appurtenances.
4. *Term.* Easement rights granted herein shall be in perpetuity, subject to the following reservations.

Reservation of Rights (Surface use only). Grantor and Grantor's heirs, successors, and assigns shall retain the right to use the surface and subsurface of all or part of the Easement Property for Permitted Improvements purposes in conjunction with Holder as long as such use by Grantor and Grantor's heirs, successors, and assigns does not interfere with the use of the Easement Property by Holder for the Easement Purpose.
5. *Improvement and Maintenance of Easement Property.* Subject to the provisions of Section 6, immediately below, improvement and maintenance of the Easement Property and the Facilities will be at the sole expense of Holder. Holder has the right to remove or relocate any fences or other encroachments within the Easement Property or along or near its boundary lines if reasonably necessary to construct, install, maintain, replace, or remove the Facilities, provided that Holder shall replace any landscaping, driveways or parking areas to their original condition that are damaged in connection with the work.
6. *Maintenance of Surface Easement Property/Permitted Improvements.* Notwithstanding any contrary provision, Grantor shall retain the obligation to maintain the surface of the Easement Tract and Permitted Improvements, including the obligation to regularly mow or cut back vegetation and to keep the surface of the Easement Tract free of litter, debris, or trash.
7. *Equitable Rights of Enforcement.* This Easement may be enforced by restraining orders and injunctions (temporary or permanent) prohibiting interference and commanding compliance. Restraining orders and injunctions will be obtainable on proof of the existence of interference or threatened interference, without the

necessity of proof of inadequacy of legal remedies or irreparable harm, and will be obtainable only by the parties to or those benefited by this agreement; provided, however, that the act of obtaining an injunction or restraining order will not be deemed to be an election of remedies or a waiver of any other rights or remedies available at law or in equity.

8. *Binding Effect.* This agreement binds and inures to the benefit of the parties and their respective heirs, successors, and permitted assigns.
9. *Choice of Law.* This agreement will be construed under the laws of the state of Texas, without regard to choice-of-law rules of any jurisdiction. Venue is in the county or counties in which the Easement Property is located.
10. *Waiver of Default.* It is not a waiver of or consent to default if the non-defaulting party fails to declare immediately default or delays in taking any action. Pursuit of any remedies set forth in this agreement does not preclude pursuit of other remedies in this agreement or provided by law.
11. *Integration.* This agreement contains the complete agreement of the parties and cannot be varied except by written agreement of the parties. The parties agree that there are no oral agreements, representations, or warranties that are not expressly set forth in this agreement.
12. *Exceptions to Warranty.* This grant is subject to any and all encumbrances and easements of record, to the extent the same are valid and enforceable.
13. *Legal Construction.* Any provision in this agreement is for any reason unenforceable, to the extent the unenforceability does not destroy the basis of the bargain among the parties, the unenforceability will not affect any other provision hereof, and this agreement will be construed as if the unenforceable provision had never been a part of the agreement. Whenever context requires, the singular will include the plural and neuter include the masculine or feminine gender, and vice versa. Article and section headings in this agreement are for reference only and are not intended to restrict or define the text of any section. This agreement will not be construed more or less favorably between the parties by reason of authorship or origin of language.
14. *Notices.* Any notice required or permitted under this agreement must be in writing. Any notice required by this agreement will be deemed to be delivered (whether actually received or not) when deposited with the United States Postal Service, postage prepaid, certified mail, return receipt requested, and addressed to the intended recipient at the address shown in this agreement. Notice may also be given by regular mail, personal delivery, courier delivery, facsimile transmission, or other commercially reasonable means and will be effective when actually received. Any address for notice may be changed by written notice delivered as provided herein.

15. *Recitals/Exhibits.* Any recitals in this agreement are represented by the parties to be accurate, and constitute a part of the substantive agreement. All exhibits referenced herein are attached hereto and incorporated by reference herein for all purposes.
16. *Entire Agreement.* This instrument contains the entire agreement between the parties relating to the rights herein granted and the obligations herein assumed. Any oral representation or modification concerning this instrument shall be of no force and effect except for any subsequent modification in writing, signed by the party to be charged.

IN WITNESS WHEREOF, this instrument is executed this _____ day of _____, 201__.

GRANTOR:

CITY OF WIMBERLEY, TEXAS,
a Texas general law type A municipality

By: _____
Shawn Cox, City Manager

ATTEST:

Laura Calcote, City Secretary

THE STATE OF TEXAS §
 §
COUNTY OF HAYS §

This instrument was acknowledged before me on _____, 201__, by Shawn Cox, City Manager of the City of Wimberley, Texas, a Texas general law type A municipality, on behalf of said municipality.

(seal)

Notary Public Signature

EXHIBIT “A”

BEING 11,704 SQUARE FEET OF LAND OUT OF THE H. KEISER SURVEY NUMBER 60, ABSTRACT NUMBER 271, AND THE AMASA TURNER SURVEY NUMBER 1, ABSTRACT NUMBER 461, BOTH IN HAYS COUNTY, TEXAS, SAME BEING A PORTION OF THAT CERTAIN VILLAGE OF WIMBERLEY 128.36 ACRE TRACT RECORDED IN VOLUME 2689, PAGE 795, OFFICIAL PUBLIC RECORDS, HAYS COUNTY, TEXAS, SAME BEING A 10 FOOT WIDE UTILITY EASEMENT, THE CENTERLINE OF SAID 11,704 SQUARE FEET OF LAND TO BE MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS IN EXHIBIT "A", ATTACHED HERETO AND MADE A PART HEREOF.

11,704 SQ. FT. ELECTRIC UTILITY EASEMENT

BEARING BASIS:
BEARINGS ARE BASED TO THE TEXAS COORDINATE SYSTEM SOUTH
CENTRAL TEXAS ZONE NAD83 HARN HORIZONTAL CONTROL

LEGEND

- CALCULATED POINT
- UTILITY POLE
- OH OVERHEAD UTILITY LINE(S)
- DOWN GUY
- P.O.B. POINT OF BEGINNING
- 1/2" ROD FOUND
- P.O.C. POINT OF COMMENCING

LINE TABLE		
LINE	BEARING	LENGTH
L1	S 07°47'17" W	225.63'
L2	N 07°48'24" E	194.43'
L3	N 82°11'36" W	30.00'
L4	N 07°48'24" E	150.00'
L5	N 00°35'43" W	50.07'
L6	N 00°21'29" W	533.76'

SURVEY DATE	MARCH 21, 2018	
JOB NO.	A0303218	
FIELD BY:	JONATHAN MOHR	03/14/2018
CALC. BY:	EDWARD RUMSEY	03/21/2018
DRAWN BY:	SEAN SUTTON	03/21/2018
RPLS CHECK	EDWARD RUMSEY	03/21/2018

ALLSTAR
Land surveying

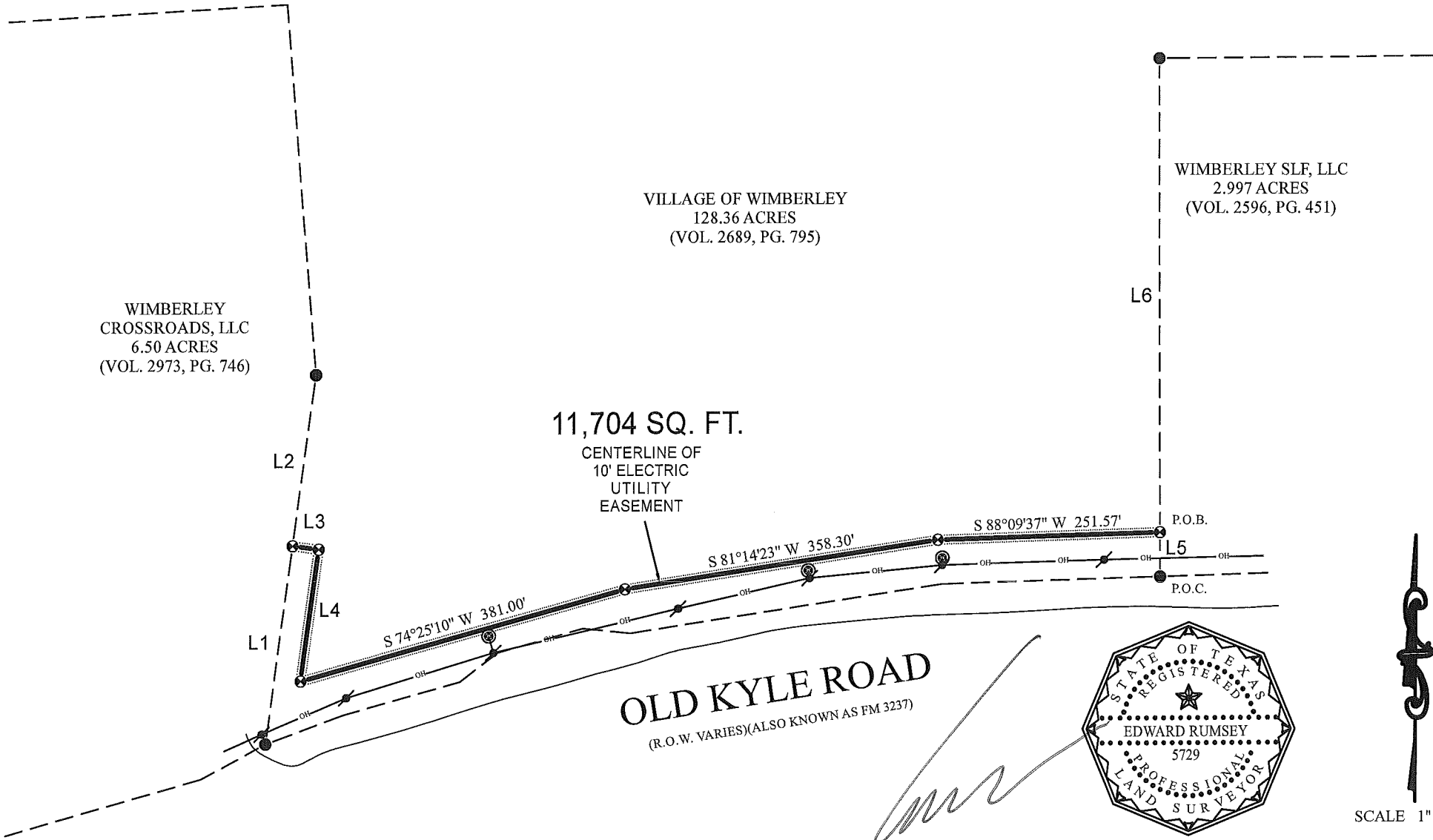
9020 ANDERSON MILL RD
AUSTIN, TEXAS 78729
(512) 249-8149 PHONE
(512) 331-5217 FAX
TBPLS FIRM NO. 10135000

WIMBERLEY CROSSROADS, LLC
6.50 ACRES
(VOL. 2973, PG. 746)

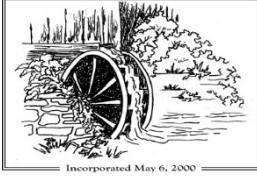
VILLAGE OF WIMBERLEY
128.36 ACRES
(VOL. 2689, PG. 795)

WIMBERLEY SLF, LLC
2.997 ACRES
(VOL. 2596, PG. 451)

11,704 SQ. FT.
CENTERLINE OF
10' ELECTRIC
UTILITY
EASEMENT



City Council Agenda Form



Date Submitted: April 17, 2018

Agenda Date Requested: April 19, 2018

Project/Proposal Title: DISCUSSION AND
POSSIBLE ACTION - Bank Depository - Mayor Mac
McCullough

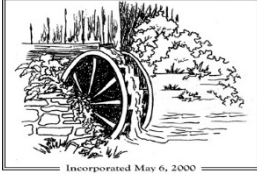
Council Action Requested:

- ☐ Ordinance
- ☐ Resolution
- ☒ Motion
- ☒ Discussion

Project/Proposal Summary:

Mayor Mac McCullough requested this item be placed on the agenda for consideration and possible action.

City Council Agenda Form



Date Submitted: April 17, 2018

Agenda Date Requested: April 19, 2018

Project/Proposal Title: DISCUSSION AND
POSSIBLE ACTION - Sewer System Lift Station -
Mayor Mac McCullough

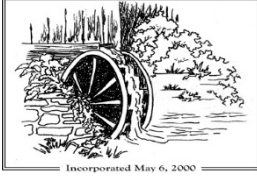
Council Action Requested:

- ☐ Ordinance
- ☐ Resolution
- ☒ Motion
- ☒ Discussion

Project/Proposal Summary:

Mayor Mac McCullough requested this item be placed on the agenda for consideration and possible action.

City Council Agenda Form



Date Submitted: April 17, 2018

Agenda Date Requested: April 19, 2018

Project/Proposal Title: DISCUSSION AND
POSSIBLE ACTION - Disposal of Generators -
Mayor Mac McCullough

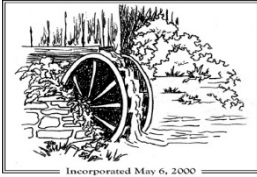
Council Action Requested:

- ☐ Ordinance
- ☐ Resolution
- ☒ Motion
- ☒ Discussion

Project/Proposal Summary:

Mayor Mac McCullough requested this item be placed on the agenda for consideration and possible action.

City Council Agenda Form



Date Submitted: April 17, 2018

Agenda Date Requested: April 19, 2018

Project/Proposal Title: DISCUSSION AND
POSSIBLE ACTION - Ordinance No. 2018-11

Council Action Requested:

- ☒ Ordinance
- ☐ Resolution
- ☒ Motion
- ☒ Discussion

Project/Proposal Summary:

Ordinance No. 2018-011 will amend Chapter 50 (Sewers and Water), Section 50.63(B)(2) of Ordinance No. 2010-014, requiring mandatory connection to a public wastewater system. This will be the first reading of Ordinance No. 2018-011. The Ordinance caption was published in the Wimberley View on Thursday, March 22, 2018.

ORDINANCE NO. 2010-014

AN ORDINANCE AMENDING CHAPTER 50 (SEWERS AND WATER), SECTION 50.63 (CONNECTION TO THE SEWER SYSTEM REQUIRED), OF THE CODE OF ORDINANCES OF THE CITY OF WIMBERLEY, TEXAS, IN ORDER TO ESTABLISH THE REQUIREMENTS FOR MANDATORY CONNECTION TO A PUBLIC WASTEWATER SYSTEM; AND PROVIDING FOR AN EFFECTIVE DATE; PROPER NOTICE AND MEETING, SEVERABILITY AND REPEALER.

WHEREAS, the City Council of the City of Wimberley seeks to promote the health, safety and general welfare of the citizens of the City, and the best interests of the City; and

WHEREAS, pursuant to Texas Local Government Code ordinance §51.001, the City Council is authorized to adopt an ordinance that is for the good government, peace or order of the City and is necessary or proper for carrying out a power granted by law to the City; and

WHEREAS, pursuant to Texas Local Government Code ordinance §51.012, the City Council is authorized to adopt an ordinance, not inconsistent with state law, that the council considers proper for the government, interest, welfare or good order of the City; and

WHEREAS, the City Council seeks to ensure that water and sewer utility service is adequate and efficient for the citizens of the City; and

WHEREAS, ~~currently the majority of the City operates on-site sanitary sewer systems; and the City is currently constructing facilities to expand the collection and treatment of wastewater in the City; and~~

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WHEREAS, ~~the Council is in the process of securing funding and devising plans for a public wastewater sewer system; and~~

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WHEREAS, ~~the Council finds that it is in the best interest of the public health, safety and welfare of the citizens to require connections to the City sewer system once operational as provided by this ordinance; and~~

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WHEREAS, ~~pursuant to chapter 552 of the Texas Local Government Code and other laws, the City is authorized to operate its water and sewer utility systems inside or outside its municipal boundaries, to regulate the systems in a manner that protects the interests of the municipality, and to extend the lines of its utility systems inside and outside the municipal boundaries.~~

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WHEREAS, ~~the City Council finds that requiring connection to the City's sewer system is in the best interest of the public health, safety, and welfare of the citizens; and~~

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WHEREAS, pursuant to Texas Local Government Code § 552.001 and other laws, the City is authorized to operate its sewer utility system inside and outside the municipal boundaries, to regulate the system in a manner that protects the interests of the municipality, and to extend the lines of its utility system inside and outside the municipal boundaries.

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NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WIMBERLEY, TEXAS:

I. FINDINGS OF FACT

All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of Wimberley and are hereby approved and incorporated into the body of this ordinance as if copied in their entirety.

II. AMENDMENT

~~1. THAT chapter 50 (Sewers and Water, section 50.63 (Connection to the Sewer System Required) of the Wimberley Code of Ordinances shall be amended in its entirety to read as follows: Chapter 50 (Sewers and Water), Section 50.63(B)(2) of the Wimberley Code of Ordinances shall be amended in its entirety to read as follows:~~

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§50.63 CONNECTION TO THE SEWER SYSTEM REQUIRED.

(A) This section applies to all properties within the city limits and extraterritorial jurisdiction of the City.

(B) *Connection is required.* All property owners are required to connect their buildings or structures located on the property to the City's Sewer System in accordance with the following provisions:

(l) *Existing On-Site Sanitary Sewer Systems.* Within forty-five (45) days of notice from the City of the availability of the City's Sewer System to the public, all property owners that own buildings or properties connected to an on-site sanitary sewer system shall connect to the City's Sewer System and shall immediately cease using the on-site sanitary sewer system upon such connection. Such connections shall be made subject to the applicable charges provided by current City requirements.

If the building or property is not connected to the City's Sewer System within the time prescribed or operation of the on-site sanitary sewer system is not discontinued, it shall be a violation of this chapter and subject the property owner to the penalties under section 50.99 of this Code. In addition to the penalties under section 50.99, the city administrator may provide written notice to the person owning or having possession or control of the property required to be connected to the City's Sewer System. Such notice shall also state that, upon failure of the property owner or occupant to connect to the City's Sewer System within thirty (30) days from the date of

the notice, the City will connect the property to the City's Sewer System, and will charge the cost and expense incurred by the City to connect the property to the City's Sewer System to the owner of such property, and that the City may place a lien on such property for those costs and expenses, may institute suit against the owner to collect the costs incurred by the City, or may undertake other measures within the City's authority to recover the costs. The notice provided for in this section shall be in writing and either served personally or sent by letter addressed to the owner of such property at the address of the property, or at the address as identified by the appraisal district.

(2) *New Connections.* The owner of every new building intended for human habitation or occupancy applying for a certificate of occupancy ~~after the date an operational City Sewer System is operational and available,~~ on property within one-hundred fifty (150) feet of the City's existing or proposed sewer system or facilities, shall be connected to the City's sewer system ~~by the owner or agent of the premises~~ in accordance with the City's sewer service and extension ordinances. A separate connection for each house or building on the property requiring service shall be required unless the City Administrator approves the connection of more than one (1) building located on the single property to a single connection. All new subdivisions ~~platted after the date of an operational City Sewer System~~ within one-hundred fifty (150) feet of a ~~public wastewater system~~ the City's existing or proposed sewer system or facilities shall be connected to the City's sewer system in accordance with the City's sewer service and extension ordinances. In the extraterritorial jurisdiction, the City Administrator may waive this requirement. If a building or property is to be served by the City's ~~Sewer System~~ sewer system, wastewater lines to serve each building or property must be installed before the certificate of occupancy may be issued and the building ~~and~~ or property is occupied."

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Except as provided herein, of the Code of Ordinances of the City of Wimberley shall remain in full force and effect.

III. SEVERABILITY

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this Ordinance be severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance, and the remainder of this Ordinance shall be enforced as written.

IV. EFFECTIVE DATE

This ordinance shall take effect immediately from and after its passage and publication as may be required by governing law.

V. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place and purpose of

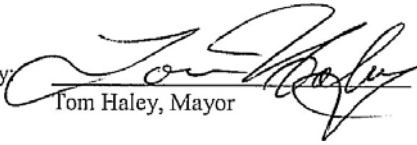
said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code, and the Standard Zoning Enabling Act, Chapter 211 of the Texas Local Government Code. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

PASSED AND APPROVED ON FIRST READING this day of April, 2010, by a 3 (Ayes) 1 (Nays) 1 (Abstain) vote of the City Council of the City of Wimberley, Texas.

PASSED AND APPROVED ON SECOND READING this 6th day of May, 2010, by a 5 (Ayes) 0 (Nays) 0 (Abstain) vote of the City Council of the City of Wimberley, Texas.

CITY OF WIMBERLEY

By:

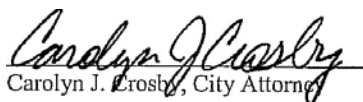

Tom Haley, Mayor

ATTEST:



Cara McPartland, City Secretary

APPROVED AS TO FOR


Carolyn J. Crosby, City Attorney

ORDINANCE NO. 2018-11

AN ORDINANCE AMENDING CHAPTER 50 (SEWERS AND WATER), SECTION 50.63 (CONNECTION TO THE SEWER SYSTEM REQUIRED), OF THE CODE OF ORDINANCES OF THE CITY OF WIMBERLEY, TEXAS, IN ORDER TO ESTABLISH THE REQUIREMENTS FOR MANDATORY CONNECTION TO A PUBLIC WASTEWATER SYSTEM; AND PROVIDING FOR AN EFFECTIVE DATE; PROPER NOTICE AND MEETING, SAVINGS, SEVERABILITY AND REPEALER.

WHEREAS, the City Council of the City of Wimberley, Texas seeks to promote the health, safety, and general welfare of the citizens of the City, and the best interests of the City; and

WHEREAS, pursuant to Texas Local Government Code § 51.001, the City Council is authorized to adopt an ordinance that is for good government, peace, or order of the City and is necessary and proper for carrying out a power granted by law to the City; and

WHEREAS, pursuant to Texas Local Government Code § 51.012, the City Council is authorized to adopt an ordinance, not inconsistent with state law, that the council considers proper for the government interest, welfare or good order of the City; and

WHEREAS, the City Council seeks to ensure that water and sewer utility service is adequate and efficient for the citizens of the City; and

WHEREAS, the City is currently constructing facilities to expand the collection and treatment of wastewater in the City; and

WHEREAS, the City Council finds that requiring connection to the City's sewer system is in the best interest of the public health, safety, and welfare of the citizens; and

WHEREAS, pursuant to Texas Local Government Code § 552.001 and other laws, the City is authorized to operate its sewer utility system inside and outside the municipal boundaries, to regulate the system in a manner that protects the interests of the municipality, and to extend the lines of its utility system inside and outside the municipal boundaries.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FO THE CITY OF WIMBERLEY, TEXAS:

SECTION I. FINDINGS OF FACT

All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of Wimberley and are hereby adopted and incorporated into the body of this ordinance as if copied in their entirety.

SECTION II. AMENDMENT

Chapter 50 (Sewers and Water), Section 50.63(B)(2) of the Wimberley Code of Ordinances shall be amended in its entirety to read as follows:

“§ 50.63 CONNECTION TO THE SEWER SYSTEM REQUIRED.

(B)(2) *New Connections.* The owner of every new building intended for human habitation or occupancy applying for a certificate of occupancy on property within one-hundred fifty (150) feet of the City’s existing or proposed sewer system or facilities, shall be connected to the City’s sewer system in accordance with the City’s sewer service and extension ordinances. A separate connection for each house or building on the property requiring service shall be required unless the City Administrator approves the connection of more than one (1) building located on the single property to a single connection. All new subdivisions within one-hundred fifty (150) feet of the City’s existing or proposed sewer system or facilities shall be connected to the City’s sewer system in accordance with the City’s sewer service and extension ordinances. In the extraterritorial jurisdiction, the City Administrator may waive this requirement. If a building or property is to be served by the City’s sewer system, the wastewater lines to serve each building or property must be installed before the certificate of occupancy may be issued and the building or property is occupied. Any property owner having installed a new septic system on property within one-hundred fifty (150) feet of the City’s existing or proposed sewer system or facilities since January 1, 2013 up until this ordinance is passed, will be given five (5) years, since the issuance of their septic permit, to connect to the City’s sewer system.”

SECTION III. SAVINGS

The repeal of any ordinance or part of ordinances effectuated by the enactment of this Article shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the City under any section or provisions of any ordinances at the time of passage of this Article.

SECTION IV. SEVERABILITY

Should any sentence, paragraph, subdivision, clause, phrase, or section of this Article be adjusted or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this Article in whole or any part or provision thereof, other than the part so declared to be invalid, illegal or unconstitutional.

SECTION V. REPEALER

The provisions of this Article shall be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances inconsistent or in conflict with any of the provisions of this Article are hereby expressly repealed to the extent that such inconsistency is

apparent. This Article shall not be construed to require or allow any act that is prohibited by any other ordinance.

SECTION VI. EFFECTIVE DATE

This Article shall take effect immediately from and after its passage and publication as may be required by law.

SECTION VII. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Article was passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

PASSED AND APPROVED this ____ day of _____, 2018.

Hershel P. "Mac" McCullough, Mayor

ATTEST:

Laura J. Calcote, City Secretary

APPROVED AS TO FORM:

City Attorney



An ordinance amending Chapter 50 (Sewers and Water), Section 50.63 (Connection to the Sewer System Required), of the Code of Ordinances of the City of Wimberley, Texas, in order to establish the requirements for mandatory connection to a public wastewater system; and providing for an effective date; proper notice and meeting, savings, severability and repealer.

An ordinance of the City of Wimberley, Texas, to increase the tax rate to be imposed on hotel occupancy within the corporate limits and extraterritorial jurisdiction of the City; and providing for findings of fact, savings, severability, repealer, an effective date, and proper notice and meeting.

*Help Keep Wimberley
Beautiful*

ley City Hall on **Thursday, April 12, 2018, at 6:00 p.m.** to consider the following:
CUP-18-007— an application for a Conditional Use Permit (CUP) to allow the operation of a vacation rental at 150 Dobie Dr. Upon recommendation of the Planning & Zoning Commission, the City Council will also hold a public hearing on **Thursday, April 19, 2018, at 6:00 p.m.** at City Hall. Comments on this request from any member of the public may be presented in person at City Hall, by mail (PO Box 2027), or by email (sfloyd@cityofwimberley.com) prior to the hearing. The public will be granted an opportunity to speak at the hearings. Additional information concerning the proposed action is available for review at the Wimberley City Hall, 221 Stillwater, Wimberley, Texas.

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Professional for their Full-Time Recovery Coach Position. Candidate must possess a Bachelor's Degree in a Human Services Field, Mental Health / IDD Experience Preferred. \$16.34 per hour / \$34K Annual with Excellent Benefits.

Apply online @ www.hillcountry.org

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General Help Wanted

General Help Wanted

Hill Country MHDD Centers
HILL COUNTRY MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES CENTERS

Community Service Aide III

Hill Country MHDD Centers now hiring
Full & Part Time CSAs for their Hays Location -
1200 North Bishop St. San Marcos, TX. This is
an excellent opportunity for recent graduating
seniors OR jobseekers passionate about working
with individuals with Intellectual & Developmental
Delays. Eligible candidate must possess H.S.
Diploma / GED and have a Valid TX Driver's
License. Must have great organizational and
communication skills AND be passionate about
working with this population. Approximately 30
hrs/ wk/ Variable Hours. \$10.95/hr.

Apply online @ www.xhillcountry.org

Hill Country MHDD Centers is an EOE

Heather and Matt 732-397-3117.

CAREER TRAIN

Airline Mechanic Training – Get It
Approved for military benefits. Financed. Job placement assistance. Call
of Maintenance, 800-475-4102.

FINANCE

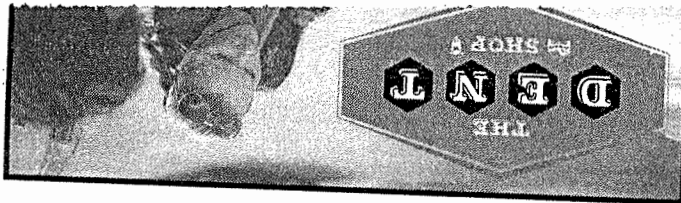
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EVENT

Ingleside - Round Up Days, M
Simmons Park, Ingleside, TX. Rides
entertainment, \$6 Admission. Pres
Chamber of Commerce.

Texas Pro
251 Participat
Start At \$

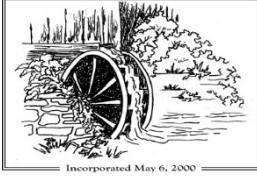
NOTICE: While most advertisers urge readers to use caution and with the Federal Trade Commission at 877-



destrians, uncovered trucks
and boaters.
In another week or two,
I will write more on this
subject. In the meantime,
PLEASE DON'T LITTER!
Jackie Mattice,
Hays County
Master Naturalist

ant to quote directly in article I found on Internet titled, "Litter. It's a Small Piece of Litter in Your Hand Could Amount to Billions at the End of the Road." Billions of money

City Council Agenda Form



Date Submitted: April 17, 2018

Agenda Date Requested: April 19, 2018

Project/Proposal Title: DISCUSSION AND
POSSIBLE ACTION - Test Digging at BHRP - Place
Two Council Member Craig Fore

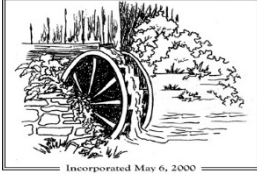
Council Action Requested:

- ☐ Ordinance
- ☐ Resolution
- ☒ Motion
- ☒ Discussion

Project/Proposal Summary:

Place Two Council Member Craig Fore requested this item be placed on the agenda for discussion and possible action.

City Council Agenda Form



Date Submitted: April 17, 2018

Agenda Date Requested: April 19, 2018

Project/Proposal Title: DISCUSSION AND
POSSIBLE ACTION - New Television - Place Two
Council Member Craig Fore

Council Action Requested:

- ☐ Ordinance
- ☐ Resolution
- ☒ Motion
- ☒ Discussion

Project/Proposal Summary:

Place Two Council Member Craig Fore requested this item be placed on the agenda for discussion and possible action.